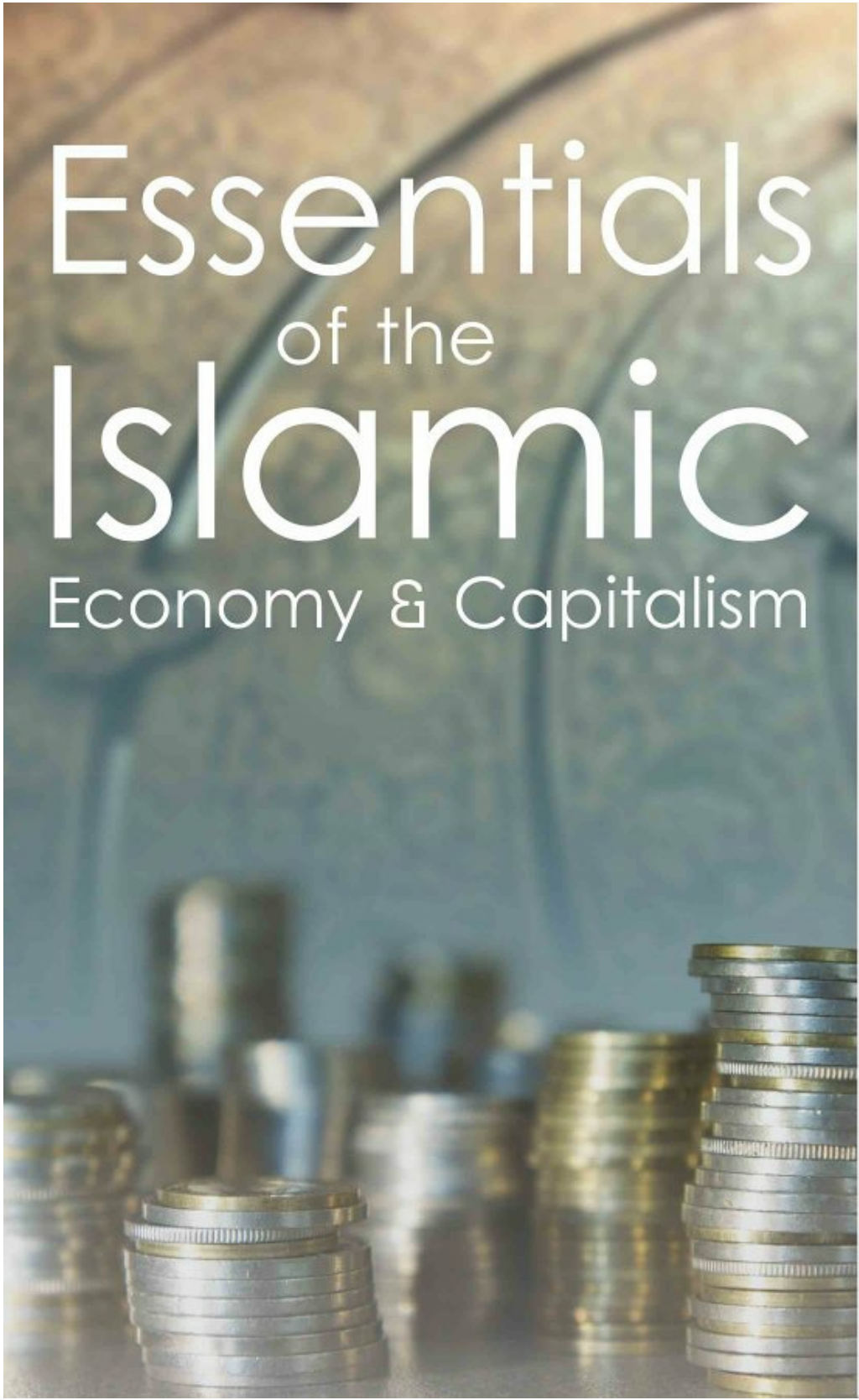
The background of the cover features a blurred image of a globe, showing continents and oceans. In the foreground, there are several stacks of coins of various denominations, including gold and silver-colored ones, arranged in a way that suggests growth or accumulation. The text is overlaid on the upper portion of the image.

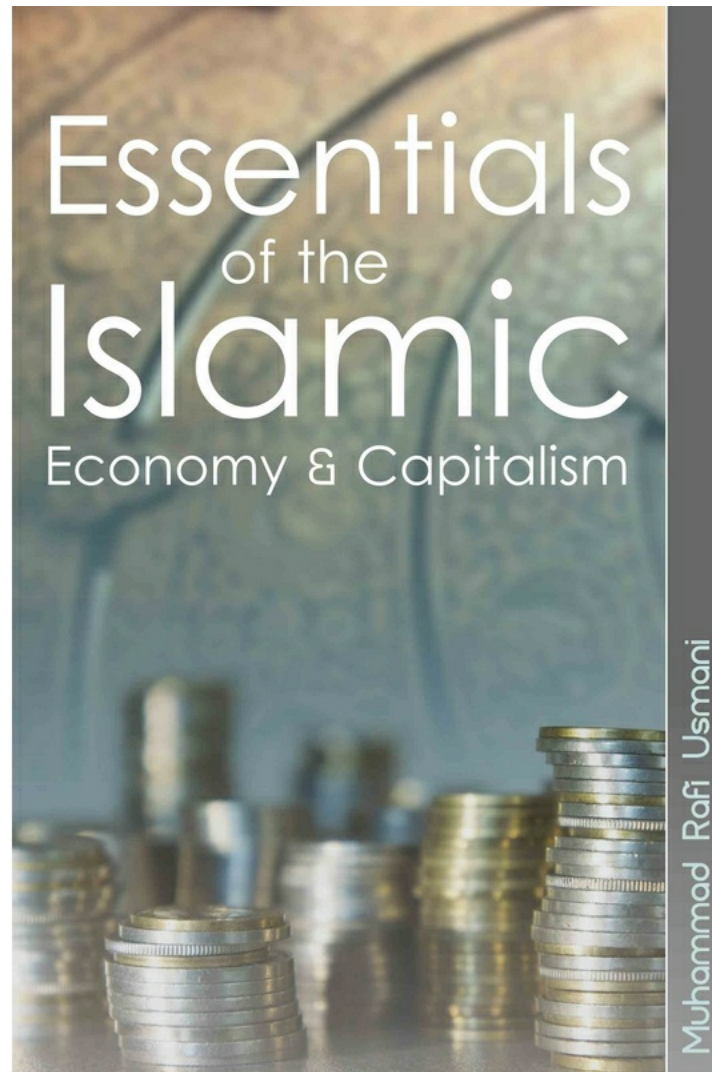
# Essentials of the Islamic Economy & Capitalism

Muhammad Rafi Usmani



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# Table of Contents

- [Titlepage](#)
- [Copyright](#)
- [Publisher](#)
- [PREFACE](#)
- [Introduction](#)
  - [Essentials of the Islamic economy:](#)
  - [Industrial relations:](#)
- [Chapter One](#)
- [ESSENTIALS OF THE ISLAMIC ECONOMY](#)
- [01.Divine Design](#)
  - [Materialism](#)
  - [The creed of Islam](#)
- [\(2\) Exemplary Moderation & Balance](#)
  - [A mean between monasticism & materialism](#)
  - [A mean between Capitalism & Socialism](#)
  - [More about moderation—reality of wealth & ownership](#)
- [\(3\) Economic activities are also a significant part of religion](#)
- [\(4\) All are equally answerable to Allah](#)
- [\(5\) Means of livelihood & Free Marketing](#)
  - [Two great obstacles](#)
  - [Restrictions imposed by Socialism](#)
  - [Alluring net of capitalism](#)
  - [Noose of Capitalism –interest oriented banks](#)
  - [A ruse: creation of money:](#)
  - [Nationalised Banks](#)
  - [Another evil of the banks](#)
  - [Poor nations suffer for this all over the world](#)
  - [The Qur'an's declaration of war against interest](#)
  - [Commercial Insurance](#)
  - [Compulsory third party insurance](#)
  - [Number of vehicles in Karachi](#)
  - [Qur'an prohibits gambling](#)
  - [Hadith condemning gambling](#)
  - [The Islamic alternative to interest based banks & insurance](#)
  - [Interest-free banking](#)
  - [Mudarabah Contract](#)
  - [Other options](#)
  - [Islam's substitute for insurance](#)
  - [Capitalism has no free market](#)
  - [Eliminating concentration of wealth](#)
  - [A stubborn obstacle](#)
  - [Independent operation of the law of demand & supply](#)
  - [\(1\) Hoarding disallowed](#)
  - [\(2\) Brokerage only under conditions](#)
  - [\(3\) Faking demand is disallowed](#)
  - [\(4\) Disallowed to outbid](#)
  - [\(5\) Do not go out to intercept incoming merchandise](#)
  - [\(6\) Forward sale of what has been bought is disallowed](#)
- [\(6\) Risk factor is essential in trade](#)
  - [Ahadith forbidding trade without risk](#)
  - [Difference between ownership & responsibility](#)
  - [When does anything come under responsibility?](#)



[More about this characteristic](#)

(7) [Gharar \(doubtful & uncertain transactions\) are disallowed](#)

[First kind](#)

[Second kind](#)

[Few examples of gharar in our times](#)

[1. Short Sale](#)

[2. Sale before possessing](#)

[3. Sale of debts \(& loans\)](#)

[The current economic crisis \[51\] \(global recession\)](#)

[Synopsis of this chapter](#)

[Chapter Two](#)

[ISLAMIC PRINCIPLES OF INDUSTRIAL RELATIONS](#)

(1) [Respect for work & labour and eminence of professions](#)

[Sciences & industry to help mankind are sunnah of Prophet](#)

[\(1\) Wheel & Cart](#)

[\(2\) Ark of Nuh \('alayhi as-salām\)](#)

[\(3\) Armour making by Dawud \('alayhi as-salām\)](#)

[Making armours was source of Prophet Dawud's \('alayhi as-salām\) livelihood a didactic event](#)

[\(4\) Art of handwriting from Aadam \('alayhi as-salām\) & Idris \('alayhi as-salām\)](#)

[\(5\) Astronomy & Mathematics introduced by Idris \('alayhi as-salām\)](#)

[\(6\) Learning manufacture in the Prophet's time](#)

[Planting trees & tilling of land are sunnah of Prophets](#)

[Trading is a sunnah of the Prophets](#)

[Free global trade is Allah's blessing](#)

[Highest honour](#)

[Labour & service are sunnah of Prophets](#)

[Dignity of labour](#)

(2) [Standard of Merit](#)

[Standard of the first kind](#)

[Standard of the second kind](#)

[Trustworthiness is essential in both](#)

(3) [Quota system be replaced by selection on merit](#)

[All posts or duties are amanat](#)

[To appoint the unworthy is treachery](#)

[An exception](#)

(4) [Contract of employment](#)

(5) [Right of one is obligation of the other](#)

[Think more of giving rights than getting](#)

[\(1\) A sahabi's testimony for this](#)

[\(3\) Fate of those who appropriate rights of other people](#)

[A question answered](#)

[\(4\) People of Prophet Shu'ayb \('alayhi as-salām\) punished](#)

[\(5\) Warning to this ummah](#)

[Cheating in work is like giving less weight & measure](#)

[Importance of rights of fellowmen](#)

(6) [Mutual well-wishing & fraternal ties](#)

[Employee's rights on employer](#)

[Employer's rights on employee](#)

[A doubt removed](#)

(7) [Legal equality & Justice at little cost & little difficulty](#)

[Convenient procedure of judgement](#)

[Concept of court of law in Islam](#)

[Why are trade unions necessary?](#)

[What makes trader's associations necessary?](#)

[Strikes & Lockouts](#)

[Rise in pay is deceptive](#)

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[Tax on agricultural income](#)

[Summary](#)

[BIBLIOGRAPHY](#)

[End Notes](#)

[Find More](#)

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# **Essential of Islamic Economics**

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**Muhammad Rafi Usmani**

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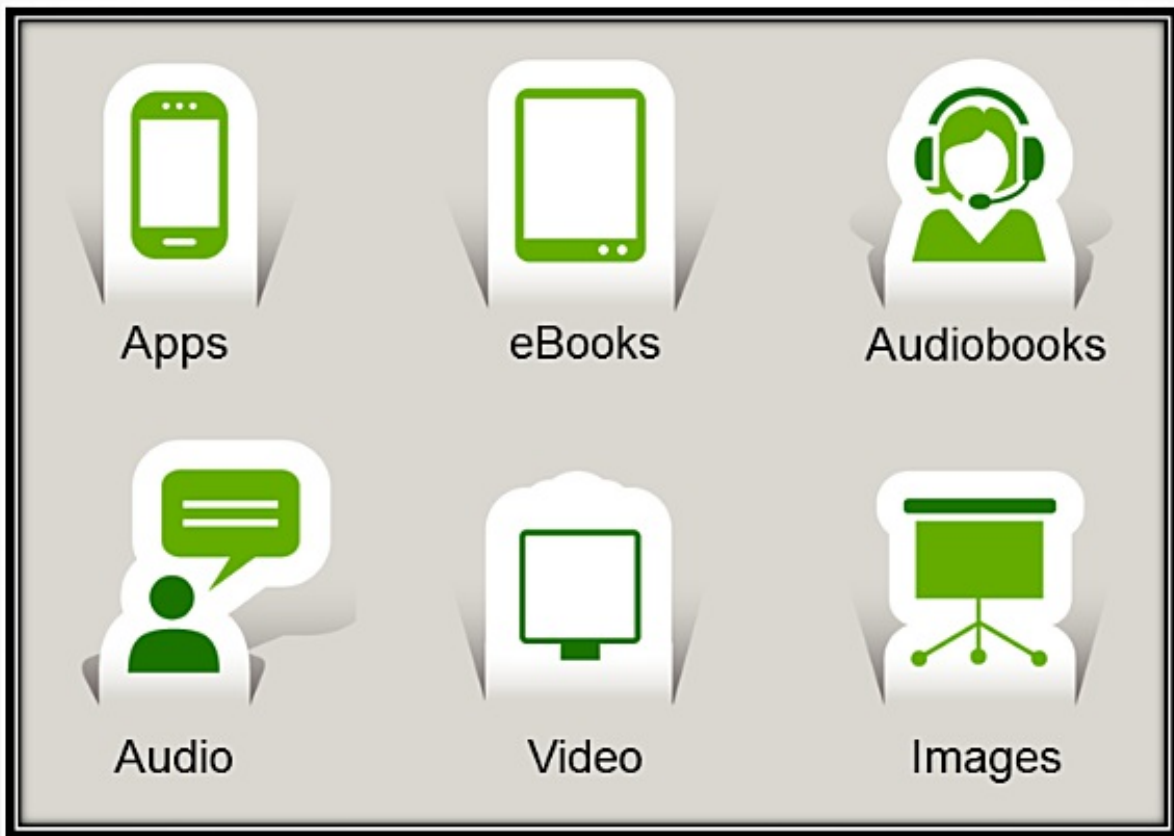


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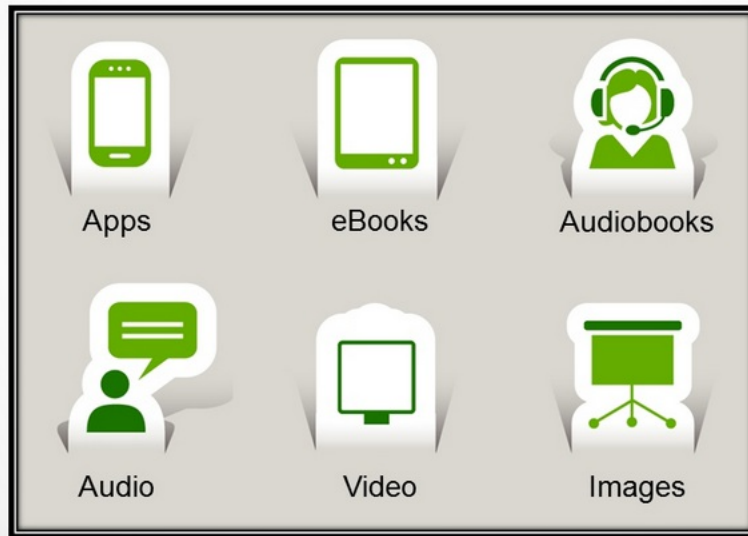
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# PREFACE

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

نَحْمَدُهُ وَنُصَلِّي عَلَى رَسُولِهِ الْكَرِيمِ

*(We praise Him and invoke blessings on His noble Messenger)*

In 1992, the National Labour Federation, under its chairman Mr Shafi Malik, had organized a three day seminar in Islamabad on the 'Islamic model of Industrial Relations' I was invited to present my treatise.

At that time, it had been barely a year that communism, socialism and the Soviet Union were wiped out of the world map.

I had excused myself from presenting a treatise because of personal reasons. However, I did present unscripted some basic ideas. And, it would be more correct to entitle them "Essentials of the Islamic Economy & Capitalism".

My speech was transcribed by them from a recording they had made and reproduced in their monthly journal, al-Kasib of May/June 1992. Later, the Jama'at Islami printed it in their monthly organ, Tarjuman ul-Qur'an, in May 1995. The scholars acclaimed it.

Nevertheless, it was an oral speech. When I read it in print, I realized that, given the foregoing title, it should be clarified at many places and explanatory material ought to be added.

I took up the revision but the revised text became too lengthy. The script was many times the original speech, a long treatise, indeed.

Six years back, the revised treatise was composed and I began to examine it. But, I was so much occupied in other tasks which continued to crop up that it was buried under the pile of the 'unfinished' tray.

Ultimately, the backlog was cleared and it came to my hands I decided that I should not go in for more revision and that it should be presented to the readers. (However, some additions had to be incorporated).

I pray to Allah to cause this humble effort to be of benefit to the Muslims. May He accept it and make it for me rewarding in the hereafter. وما ذلك على الله بعزيز [1]

Muhammad Rafi Usmani عفا الله عنه

18th Shawwal 1430 AH

8th October 2009 CE

Jami'ah Dar ul-Uloom

Karachi



# INTRODUCTION

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

نحمده ونصلي على رسوله الكريم، وعلى اله  
واصحابه اجمعين، ومن تبعهم باحسان الى يوم الدين

*(We praise Him, and invoke blessings on His Messenger and on his descendants and his companions – all of them, and those who follow them with goodness till the day of requital.)*

The world is once again at the crossroads. Socialism is dead and capitalism is again without a challenge. The peoples of the world have revived their search for an economic system that would deliver them from the one-sided capitalism and economic injustice and oppression, and bring them prosperity and justice in the true sense of the word.

Socialism was introduced to relieve people of the oppression and duplicity of capitalism and convert their hardships into prosperity and ease. But, it turned out to be an example of the worst kind of foolish oppression and cruelty that met its obvious death. The *jihad* in Afghanistan crumbled it brick by brick.

The proponents of socialism had made loud claims to have removed the evils of capitalism, but they failed miserably in identifying the root of its evils. While full liberty to private ownership extended by capitalism is the root of all its evils, the proponents of socialism labelled private ownership itself as the root of evils and took the extreme step of doing away with it. They took away private factories, shops and businesses and agricultural lands whereby they ruined millions of lives. But, in spite of that, they could not solve the problems of the sagging economy. For seventy four years, they continued too experiment with novel ways of oppression on nearly half of the globe. Finally, when socialism collapsed and scores of countries gained freedom from its claws, everyone observed that the trade and economy of these countries were ruined. Instead of repairing the defect, the sound and healthy parts were also incapacitated. Hence, when in 1991 the experiment laboratory of socialism, the Soviet Union, was gasping for breath, the President of Russia, Boris Yelstin, lamented:

“I wish that the experiment for an imaginary paradise of socialism had not been made on large country like Russia. Had it been experimented with a small remote African village, it would not have taken seventy four years to realize how destructive it was.” (Newsweek).

In short, while capitalism followed an extreme, and allowed full latitude to private ownership so that the capitalists freed themselves of all restrictions of religion and morals and sucked the blood of the masses and the disabled poor people, socialism went to the other extreme and struck the hammer and hatchet on private ownership thereby eliminating millions of people. Ownership was wrested from them into the hands of the State and the masses were deprived of their right to complain.

With the extinction of the Soviet Union, the entire globe is fast taking the shape of a city. The lacuna created thereby is in the eyes of the capitalists who hope to fill it with a New World Order. They try to establish that the failure of socialism is actually evidence of the soundness of capitalism.

## ESSENTIALS OF THE ISLAMIC ECONOMY:

At this juncture, when mankind is experiencing the bitter repercussions of the dogmatic attitude and policies of both capitalism and socialism, and they look for a middle and moderate course, Muslim economists, leaders and moneyed-classes must bear added responsibilities. They must study thoroughly the Islamic teachings on economy. Islam is a natural religion. It is a moderate course between capitalism and socialism. These people must spread its teachings and put them into practice in the Muslim countries to prove to the world that the current decline and decay of the economies can be set right by applying the natural and just Islamic teachings bringing fresh prosperity to the

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world's peoples.

## INDUSTRIAL RELATIONS:

An important factor in economics is industrial relationship. It is established between the employer or entrepreneur and the employee or labourer. They cast a far reaching influence on the society. We may gauge their importance by remembering that the snapping of the relationship between the labourers and the entrepreneurs in Europe in the twentieth century gave birth to socialism and created an unrest all over the world.

Even today, these relationships are a fragile issue of the industrial and trade world that needs be looked into. The unending tug of war goes on between the employer and the employee. Each side looks at the other with doubt and mistrust. In fact, they both fear each other. Strikes and lockouts keep factories shut and labourers out of job. If this situation extends long, then the nations have to bear the brunt.

Hence, it is a basic need of every society and economy to avert such unrest and to keep industrial relationship cordial and friendly.

What principles and guidance has Islam provided to attain this objective? To get to the answer we shall have to divide our discussion into two sections. First, we shall have to see those features that distinguish Islam's teachings on economy from those of others and how they influence industrial relations. We shall have to find out such ills of the current system of economy that have brought about an uneven distribution of wealth, or have concentrated it into a few hands. They have also divided men thereby into two opposing strata, the rich and the poor. Not only that, but the poor and the labour class are deprived of their economic freedom and pushed into suffering, difficulties and anxieties, facing a strong sense of deprivation. Moreover, it has also made the rich class unfamiliar with true honour, comfort and happiness.

In the second section, we shall, insha Allah, discuss Islam's teachings on industrial relationships we shall also compare them with current practices.

\*\*\*\*\*



# CHAPTER ONE

## ESSENTIALS OF THE ISLAMIC ECONOMY

### 01.DIVINE DESIGN

The first and the basic characteristic of the Islamic economy which makes it most reliable is that its essential principles and limits are not framed by any human being. The reason is that Islam does not permit any man to dominate other men with his independent (personal) thinking. It does not give licence to any people, even members of parliament, to impose their whims (or own ideas) on others to dictate or rule them, or enact their own laws to limit the creatures of Allah. Therefore, like in other fields of life, Allah, Lord of the worlds, has defined the permissible and the non-permitted, the lawful and the unlawful in the field of economics too so that men may not exploit each other. He, Allah, is the Creator of the universe. He is kind to all creatures, rich and poor, more kind than even their parents. He knows better than them what will be good for them and what bad. We can never say that He has been parial in decreeing anything. Rather He is Pure and free from decreeing unwilfully or from guiding astray. We seek refuge in Allah from such thought.

This differs considerably from the doctrines of capitalism and socialism both of which have their roots in materialism though their edifices differ. There is no say of God in their doctrines. Men have framed their principles. So, they cannot be said to be free of error and partiality to any class or self.

It is here that the first and the fundamental (variance is found between Islam and these two man made economic systems. We must, therefore, grasp in mind this basic disparity. If we keep before us the fundamental creed is Islam and the philosophy of materialism, then, insha Allah, we shall find it easy to understand the rest of this treatise.

### MATERIALISM

The philosophy of materialism says that matter in its most minute forms (atoms) is found in the atmosphere from the beginning of time and will remain for eternity, and nothing else exists. Even soul does not exist [2] ;and to believe in the existence of God is superstition. No one has created matter. Rather, everything in the universe is made from it. But, matter itself is lifeless, so it does not possess any kind of knowledge and ability, or intelligence and awareness. It cannot see, hear, think, speak, decide or distinguish between good and bad, because, as we said, it has no life at all.

However, it possesses one property inherent in it and inseparable from it: motion or force (Some materialists use the word "force" [3] instead of "motion". It is this motion that causes the atoms of matter to produce elements, like oxygen, hydrogen, carbon, etc. to-date, one hundred and four elements have been discovered. When these elements are combined in different proportions, they produce various mixtures or compounds.

Thus, water, air, fire and dust are also produced in this way when different elements combine. Their combination has also resulted in the sun, the planets, the moon, the earth and sometimes it forms vegetables and minerals. In short, all natural things of the universe have come into existence through the casual motion of the atoms, by a coincidence. No one has created them by intention. When the atoms combine in a set proportion and form, the resulting condition is called "life" and when this mixture and combination does not remain, it is called 'death' [4] .

Therefore, all life has also come into existence in this way from atoms merely by a coincidence. This applies to the first man and first woman. The continuous involuntary, gradual motion of matter created them unwilled and without purpose. Then their getting together created their progeny. All kinds of animals also came into existence in this way. The sentiments of a human being like sorrow and pleasure, comfort and difficulty are also forms of the various motions of his physical atoms. There is nothing else besides matter (as an originator).

Hence, when the entire working of the universe depends on matter, governed by its motion or force in an unplanned and unpremeditated course, then we need not hold the concept of a soul or a God Who is Ever-living, All-Seeing, All-Knowing and Who does what He wishes. He regulates our doings through religion appointing the limits of the lawful and the unlawful whereby our unlimited freedom and unrestricted disobedience are checked, and He is Able to punish us.

This philosophy tells us that man came into existence by a coincidence without any purpose. He evolved into a civilized animals possessing an intelligent brain that came into shape spontaneously through the motion or force of matter. Besides, he only has to eat and drink and live a carefree life and do nothing more, when he dies he will become extinct forever. There is no resurrection, no Last Day, no paradise and no hell. So, there is no question, after death of punishment or reward for bad or good deeds. There is no concept of lawful and unlawful. So, man has a right to orient his life according to his own wish in every field including social living and economy Religion has no say in his affairs.

It is this philosophy that has given birth to the unbridled western democracy and the hypocritical capitalist economy. And, from it also arose the foolish and oppressive socialism that upset half the world for over seventy years with hardships and worries as a consequence of which even today the poor and weak nations of the world are targeted by the capitalist world powers.

زمام کار اگر مزدور کے  
ہاتھوں میں ہو، پھر کیا  
طریق کوھکن میں بھی وہی  
حیلے ہیں پرویزی  
جلال پادشاہی ہویا  
جمہوری تماشا ہو  
جدا ہو دیں سیاست سے تورہ  
جاتی ہے چنگیزی

If the reins of authority are in the hands of an imbecile  
will there be the same results as in the path of an adept, O innovater.  
A great monarchy or be it make believe democracy  
If religion and politics are alieniated, there remains anarchy.

## THE CREED OF ISLAM

In contrast to the philosophy of materialism, the basic belief in Islam is that the Creator of everything is Allah. He created matter and life, too. He is from infinity and will remain till eternity. Nothing other than Him is Everlasting. He is One, Alive, has no partner, none is like Him and no one has beget nor created Him. He alone has created everyone. He has neither parents nor offspring.

He also is the Creator of the motion and force of matter and of all characteristics of matter. No moment of time and no atom of the universe is hidden from Him. He is All-Powerful and nothing is outside His scope of power. He is All-Seeing, All-Hearing and He speaks, but His speech is not like our speech. He possesses all attributes of perfection and beauty. He is perfect and free from every blemish and shortcoming. His attributes are eternal. All know Him (to exist) by tokens and attributes, but no one knows the reality and nature of His Being.

No particle of the universe can shake without His eternal Knowledge, will and command. Whatever happens in the universe occurs in accordance with His eternal knowledge, will and command. His commands, words and actions are not without wisdom and reason but we are unable to know and understand every wisdom and reason.

No one can do anything to benefit Him or harm Him. He is in no need of gaining anything and in no fear of losing anything. He is not dependant on anyone, but all are dependent on Him. Health and illness of the creatures, their life and death, their rich provision and straitened circumstances, and their honour and disgrace are subservient to His command. Only He is worthy of worship. No one else besides Him deserves to be adored. He is more Merciful to His creatures many times than parents are.

This living universe did not come into existence by a coincidence without any purpose or wisdom, by itself. He is only Allah Who brought it into existence out of nothing with His eternal knowledge and a set design and arrangement and His Will and Power. He alone has set a firm and strong working order of this material world. And, He alone watches it.

The laws of nature, that work in this world and universe and in the entire creation, are also created by Him through His unmatched Power and Wisdom. In this way, His omnipotence, wisdom, mercy, greatness, perfectness and unity should be demonstrated to the creatures.

However, He Himself is not governed by these laws of nature. He may prevent fire from burning, water from flowing and knife from cutting whenever He so desires. In fact, sometimes He demonstrates it too, so that His creatures may know that He is not subject to these laws of nature. Rather, He is the Creator and Originator. He may also alter these laws of nature whenever He wishes. He does what He wills.

He has given life and consciousness to every creature. Some creatures He created from nur or light and made them invisible to us. They are the angels who are assigned different kinds of work. They never disobey Allah.

Some other creatures, He created from fire. Generally, they too, are invisible to us. They are called the *jinn* (or *jinnat*) and among them are the pious and the impious. [5]

Allah has made man *ashraf ul-makhlukat* (the noblest of the creatures) and appointed him his *khalifah* (vicegerent) on earth. Allah created everything that is found on earth, like every kind of energy and natural resources for mankind. He may use his brains to discover them and benefit from them within the limits defined by Allah.

Allah has not commanded His creatures to do any such thing as is not in their power. He accepts their repentance and supplication and forgives them their sins. He is Just and punishes those who deserve punishment.

Allah sent to mankind His Messengers and Prophets ﷺ. They too were human but were innocent of sin. He gave to mankind a code of life called Islam through them. The first Prophet was (Sayyiduna) Aadam ‘*alayhi as-salām* and the last of them was (Sayyiduna) Muhammad ﷺ. Other Prophets, between them were (Sayyiduna) Nuh (‘*alayhi as-salām*), Ibrahim (‘*alayhi as-salām*), Da’wud (‘*alayhi as-salām*), Musa (‘*alayhi as-salām*), and Eesa (‘*alayhi as-salām*) among the more known Prophets.

Allah also revealed many Books, brief and lengthy. He sent them through an angel, Jibril (‘*alayhi as-salām*) to His Messengers ﷺ so that they might teach their *ummah* (people following them) Allah’s commands and religion. Four of the Books are very well known. They are:

The Torah which was revealed to Prophet Musa (‘*alayhi as-salām*).

The Zabur revealed to Prophet Da’wud (‘*alayhi as-salām*).

The Injil revealed to Prophet Eesa (‘*alayhi as-salām*) and

The Noble Qur’an, the last of the Books revealed to the last of the Prophet and Messengers, Muhammad rasulAllah ﷺ. [6]

After this, no Book will be sent down and no Prophet or Messenger will be sent till the Last Day.

As for the earlier Books, the misled people corrupted and interpolated them. As for the Qur’an, Allah has given an assurance in the Qur’an itself that He will preserve it from being altered. So, till today no change has been made in it-not a very minor too. And, no alternation will be made in future.

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By perfecting His religion Islam through the Qur'an revealed to His last Prophet and Messenger ﷺ and through the explanations and teachings of His last Prophet and Messenger ﷺ, meaning the *sunnah*, Allah has provided a conclusive evidence and argument to mankind till the Last Hour.

The rules and commands applicable to the situations and events that will take place till the Last Day and which are part of *Shari'ah* are mentioned in the Qur'an and the *Sunnah*. Some of these are treated in minor details while the remaining may be deduced by the adept scholars, the *Fuqaha* (jurists), from the principles and rules in the Qur'an and *sunnah* for the issues that crop up in their times and areas. In this way, they would guide the people.

Allah has, therefore, distinguished the lawful from the unlawful and made known the prescribed duties, the rights and that which pleases Him or displeases Him. Moreover, He also gave man intelligence to understand these things and ability to choose the right or the wrong course, so that He might try His slaves and sift the obedient from the disobedient. The repercussions of their conduct is reflected partly in reward or punishment in this world. The final and complete requital will take place in the hereafter.

Man is a combination of body and soul, but he will not become extinct after death. Rather, his soul moves to a transitory world that is hidden from us and is called *barzakh* [7]. There, the connexion between body and soul does not remain in the same way as it is here in this world. But, though the body may have decayed into dust, the soul is intact and retains some kind of a connexion with the past body or some of its parts. We are not told more about this connexion. Nevertheless, some kind of reward and punishment for deeds performed in the world is meted out there.

When Allah decrees that the Last Hour should take place, all living creatures will die and this universe will disintegrate completely. After that, all mankind and *jinn* will be revived in another world (the hereafter). All human beings will be assembled in a place of reckoning. An account will be taken from them of their deeds and sayings that emanated from them in the world. This entire record is preserved with Allah. The obedient among them will be rewarded with a paradise of perpetual youth, sound health, comfort, pleasures, happiness and cherished desires. There will never be death, grief, mercy and amazing blessings for ever thereafter.

The disobedient (infidels) will be consigned to the fire of hell for ever where they too will never experience death. They will undergo Allah's wrath and punishment.

As for those who were believers in this world before they died but did act as such (and were sinners in practice) and did not even repent or make an atonement in this world, Allah will admit to paradise whomsoever of them He wishes without punishing them. Some others he will admit to paradise after punishing them for their sins. He will also have the usurpers pay the right of those whom they had wronged.

This is the creed of Islam. It has the solution to all the mental confusions and questions. But, the philosophy of materialism shies away from these confusions and is unable to help in this regard.

The focal point of the creed of Islam is that Allah is the Creator of the entire universe and of all things found in it. He has also created with His unlimited power matter and its motion and force and intelligence and consciousness. Whatever happens in this universe does not transpire merely because of compelling circumstances or coincidences. Rather, it takes place because of the predetermined decree of the Wise and at His command and will.

There may be some beliefs in the creed of Islam that may not seem compatible with science to our minds, but that does not imply that they are wrong. Indeed, in this universe, many facts continue to evade a scientific explanation to this day, but they are recognized all the same. Thus, such things of the Islamic creed as boggle scientists have not been accepted by Muslims on heresy, but they have been conveyed to them by the true Messenger of Allah, the Exalted, Muhammad ﷺ. He had received a revelation about these from Allah. Even the enemies of the Prophet ﷺ had borne testimony to his intelligence, honesty and truthfulness. His pure life is like an open book. Everyone can get a confirmation of his truthfulness from it. The life of anyone and his sayings and doings have not been preserved with such care and minute examination as the life of the Prophet ﷺ is preserved from his birth to death. Biographies have been written on the life of Prophet Muhammad ﷺ in such detail and in so many languages as have not been written about anyone else. So, many undeniable evidences can be examined by any seeker with little effort on his truthfulness and righteousness in traditions and observations.

However, you will not find in the creed of Islam even after a thorough search and critical examination any such thing as defies intelligence. You will not find anything that is categorically denied by intelligence or science. Rather, the adherents of Islam assert firmly that if anything is proved by science to be true then it cannot be contrary to any belief in Islam. Only a probability or theory of science can be contrary to a Islamic belief, but not an established scientific fact. This is why the Qur'an and the Messenger of Allah, Muhammad ﷺ call upon men to use their mind and ponder. So that their faith in Allah should be strong.

Islam does not teach us to abandon the world. Rather, it forbids us to do so. Rather, the Qur'an has declared strongly.

هُوَ الَّذِي خَلَقَ لَكُمْ مَّا فِي الْأَرْضِ جَمِيعًا

{(Allah) is He Who created for you all that the earth contains....} (2:29)

In these words, Allah Lord of the worlds, has proscribed monasticism and led mankind to investigate and to walk the path of scientific and worldly progress. They must use their mind, observation and experience to discover the innumerable amazing blessings of Allah in the globe and the neighbouring space, then to use them to their benefit within the limits defined by Allah.

This creed of Islam differs sharply from the foolish stand imposed on Europe by the churches in the Mediaeval Era and the Dark Ages. Their stand was against established scientific truths, so, ultimately, they had to give in. The intelligent people of Europe prospered in the fields of science and industry during the Industrial Revolution, but the Church was a strong hindrance in their way to progress. Finally, however, it had to surrender because its stand was against natural tendencies.

The church had been advocating monasticism and abandoning worldly life as its basic tenet. It disliked industry and business, learning and wisdom and held the wise men and scientists unforgivable criminals, to punish whom was a sacred duty. It regarded dislike of all kinds of worldly progress and of all kinds of comfort for the masses as a high degree of righteousness.

## (2) EXEMPLARY MODERATION & BALANCE

The second significant characteristic of the Islamic economy is its moderation and balance. Of course, this characteristic is the hall mark of all teachings of Islam whatever department of life it concerns. In every field of life, Islam's teachings have desisted from extremism and if we examine the field of our discussion, economy, then here, too, this characteristic is observed prominently. I shall present, here, only two examples that are basically significant.

### A MEAN BETWEEN MONASTICISM & MATERIALISM

There is at one extreme monasticism advocating 'surrender of the world'. Many religions upgrade it to the level of asceticism and righteousness: no one can be religious and a man of God if he is engaged in business, industry and economic activities.

At the other extreme is materialism. We have spoken about it in the preceding pages. It is concerned solely with the world and rejects the concept of the hereafter, and the lawful and unlawful. In the field of economics, too, materialism says that only living and economy are man's basic and essential problem, and prosperity in this field is his final goal.

As against these, Islam strikes a balance between religion and the world. If anyone abides by its teachings, then he will prosper in both religion and the world. Islam disapproves monasticism as well as materialism. It approves man's efforts in the economic field for a livelihood and, in fact, regards it as *wajib* to an extent as we shall see in the next pages. At the same time, it makes very clear that while efforts in the economic fields of business, trade and industry, employment, labour etc. are essential for a living, yet they should not be made an objective of life. Rather, they are stages towards the goal which is high manners that will enable one to have a happy life in the hereafter for ever in paradise. The real objective of man's life and the true issue before him is to get to that goal. Since he cannot achieve the objective without traversing the worldly path, so everything that is necessary or beneficial for this worldly life becomes lawful or desirable or necessary for man.

Therefore, the noble Qur'an terms such worldly property and wealth, belongings and possessions, and assets that are man's provision to his true destination as: **فَضْلُ اللَّهِ** (Allah's provision), **زِينَةُ اللَّهِ** (elegance or grace given by Allah) and **مَسْكَن** (place for peace, repose), these being terms of esteem.

However, such worldly wealth and assets in which man implicates himself at the cost of his real goal, the Qur'an terms them **مَتَاعُ الْغُرُورِ** (comfort of illusion, passing life of enjoyment or provision of illusion); and **فِتْنَةٍ** (trial, affliction, temptation).

The gist of this discourse is that Islam's point of view on economy or way of living is between the extremes of monasticism and materialism. While the means of earn a livelihood and the economic activities are desirable and necessary to an extent, yet they are not the objective of life, which the Qur'an says is:

وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ (٥٦)

{I did not create the jinn and mankind but for the purpose that they should worship Me.} (51:56)

(And triumph in the hereafter)

### A MEAN BETWEEN CAPITALISM & SOCIALISM

The world of today has experimented with two opposing systems of economics. They are:

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- i) Capitalism that allows unchecked freedom to private ownership, and
- ii) Communism and Socialism (until recently) that is absolutely against private ownership of means of livelihood.

Islam's path is between the two extremes. It approves private ownership of the means of livelihood and also imposes responsibility on the entire society to respect and protect it. This is in disagreement with socialism. However, it also disagrees with capitalism in that it does not allow private ownership unbridled latitude lest it cause instability and injustice in society.

## MORE ABOUT MODERATION—REALITY OF WEALTH & OWNERSHIP

My esteemed and respected father, the grand mufti of Pakistan, Mawlana Mufti Muhammad Shafi رحمه الله wrote a detailed explanation on moderation in his book, *Islam ka nizam taqsim dawlat* in a very lucid manner [8]

I reproduce it here with minor replacement of a couple of difficult words and some parenthetical additions. He writes:

The noble Qur'an says explicitly that wealth in whatever form is created by Allah, the Exalted, and actually belongs to Him. If man is entitled to ownership over something, then that is bestowed by Allah alone. The noble Qur'an says in *surah an-Nur*:

وَأَتَوْهُمْ مِّن مَّالِ اللَّهِ الَّذِي أَتَاكُمْ

{And give them out of the wealth of Allah that He has given to you.} (24:33)

Elsewhere the Qur'an gives the reason for it that the most a man can do is to put in his effort towards production, but who other than Allah can make the effort successful and get the production? Man is able to sow a seed. But, to get the seed to sprout and have a tree from it is someone else's work.

Allah says:

أَفَرَأَيْتُم مَّا تَحْرُثُونَ (٦٣) ءَأَنْتُمْ تَزْرَعُونَهُ أَمْ نَحْنُ الزَّارِعُونَ (٦٤)

{Tell Me about that (seed) which you sow: is it you who grow it, or are we the One Who grows?} (56:63-64)

And, He says in *surah Yasin*:

لِيَأْكُلُوا مِن ثَمَرِهِ وَمَا عَمِلَتْهُ أَيْدِيهِمْ ۚ أَفَلَا يَشْكُرُونَ ﴿١﴾

{So that they may eat fruits thereof while it was not made by their hands. Would they not then offer gratitude?} (36:35)

And also in *surah Yasin*:

أَوَلَمْ يَرَوْا أَنَّا خَلَقْنَا لَهُمْ مِمَّا عَمِلَتْ أَيْدِينَا أَنْعَامًا فَهُمْ لَهَا مَالِكُونَ ﴿٢﴾

{Did they not see that We have created for them cattle, among things made (directly) by Our hands, and then they become their owners?} (36:71)

All these verses throw light on this basic point that wealth in every form whatsoever is in essence produced by Allah and belongs to Him. Besides, he to whom Allah grants it becomes its owner. The last of these verses repeats that the real Creator and Owner of everything is Allah, but it also confirms {فَهُمْ لَهَا مَالِكُونَ} – then they become their owners} meaning that His grant to man establishes his individual ownership.



Then, in the sight of Islam, Allah gives right to man to spend this wealth. Therefore, Allah requires man to spend it according to His wish and expediencies. This means that though man owns what he spends, yet his ownership is not unrestrained and without restrictions. The True Owner of the wealth has placed certain conditions and limits and man must spend only where He commands him to spend and must not spend where He forbids him to spend. This is stated explicitly in *surah al-Qasas*:

وَابْتَغِ فِيْمَا اٰتٰكَ اللّٰهُ الدّٰرَ الْاٰخِرَةَ وَ لَا تَنْسَ نَصِيْبَكَ مِنَ  
الدّٰنِيَا وَ احْسِنْ كَمَا احْسَنَ اللّٰهُ اِلَيْكَ وَلَا تَبْغِ الْفُسَادَ فِى  
الْاَرْضِ

{And seek the (betterment of) the ultimate abode with what Allah has given to you and do not neglect your share from this world, and do good as Allah did good to you, and do not seek to make mischief in the land.} (28:77)

This verse clearly speaks of the Islamic philosophy of ownership and these salient guidelines are deduced from it.

1) Whatever wealth man possesses is given to him by Allah. (اٰتٰكَ اللّٰهُ)

2) Man has to use it in such a way that its objective should be the abode of the hereafter:

وَابْتَغِ فِيْمَا اٰتٰكَ اللّٰهُ الدّٰرَ الْاٰخِرَةَ

3) Since wealth is given to man by Allah, so man's spending will be in accordance with Allah's commands. There can be two possibilities of the Divine command.

a) He may command man to give some portion of the wealth to someone else. He must obey because Allah has favoured him, so He may command him to favour another person.

وَاحْسِنْ كَمَا احْسَنَ اللّٰهُ اِلَيْكَ

b) Allah may forbid you to spend the wealth, for, He has authority to do so. He will not permit you to spend it on such things as might cause general depravity and spread mischief on earth. (وَلَا تَبْغِ الْفُسَادَ فِى الْاَرْضِ)

This is what distinguishes Islam from the theory of ownership of both capitalism and socialism. Theoretically or practically, capitalism is materialistic in essence, so it allows man full authority over his wealth and he may use it as he likes. But, the noble Qur'an cites the argument of the people of Prophet Shu'ayb (*'alayhi as-salām*) and condemns this idea when it refers to their saying:

اصْلُوْكُمْ تَامُرُكُمْ اِنْ تَتْرُكْ مَا يَعْزِمُ اٰبَاؤُنَا اَوْ اِنْ نَفْعَلْ فِىْ اَمْوَالِنَا مَا  
نَشَاؤُا

{“... does your salah command you that we should forsake what our fathers used to worship or that we should not deal with our wealth as we please?”} (11:87)

Those people used to think of wealth as truly theirs (اَمْوَالِنَا - ours). So they laid claim on it (نَفْعَلْ... مَا نَشَاؤُا) ‘do with it as we please’, as a corollary of it.

This exactly is the crux of capitalism. The Qur'an has replaced the word اَمْوَالِنَا (our wealth) in *surah an-Nur* with اَمْوَالُ اللّٰهِ (Allah's wealth) and thus rejected the crux of capitalism, and qualified it with الَّذِىْ اٰتٰكُمْ (which He gave you) to reject the soul of socialism too which does not at all subscribe to private ownership.

Now, we might draw a line of distinction between Islam, on the one hand, and capitalism and socialism, on the other.

CAPITALISM: Advocates liberal and private ownership.

SOCIALISM: Rejects, outright, private ownership.

And, TRUTH lies between these two extremes:

ISLAM: Recognises individual ownership, but this ownership is not free and independent as might spread mischief on land.] (Quotation ends)

### (3) ECONOMIC ACTIVITIES ARE ALSO A SIGNIFICANT PART OF RELIGION

The Third characteristic of the Islamic economy is that Islam does not dismiss earning wealth and property, engaging in trade and industry, occupying in farming and cultivation and serving as labourers and employees as merely worldly pursuits. These too are a significant part of religion and, if two conditions are met, these pursuits become a form of worship.

i) Sincere intention should be formed.

For example, a man should earn to preserve himself from begging and his intention should be to fulfil duties to his own self and to give rights to others as due on him, through his earnings. Or his intention should be to meet the needs of other people through his industry, business and effort and to help the country prosper. If he does one deed to cover all these three intentions, then he will earn a three-fold reward.

ii) The earning of wealth and spending it should be according to the limits prescribed by *Shari'ah*. The exercise should not transgress these limits.

If both these conditions are respected then every deed is like a worship and is a means of success in both the worlds. These are the basic peculiarities that distinguish Islam from all religions of the world.

If the Muslim labourer, industrialist, trader and employee go by this principle then not only in the field of economics but in the entire society such a pleasant reformation and change will take place as cannot even be imagined by any of the present materialist systems and by the other religions.

Here, we present some of the many verses of the Qur'an and *ahadith* of the Prophet ﷺ .

1) The noble Qur'an says about Prophet Dawud ('*alayhi as-salām*) :

وَعَلَّمْنَاهُ صَنْعَةَ لَبُوسٍ لَّكُمْ لِنُحْصِيَنَّهُمْ مِنْ بَأْسِكُمْ ۖ فَهَلْ أَنْتُمْ  
شَاكِرُونَ ﴿٢١﴾

{We taught him the skill of making armour as dress for you to protect you from what may harm you (in combat). So, are you grateful?}(21:80)

This verse says that the wisdom in teaching Prophet Dawud ('*alayhi as-salām*) how to make armours is that warriors may protect themselves with them in battle from swords, etc. Allah describes this teaching as a blessing from Him. Hence, we learn from it that it fetches reward to learn and to teach the art of making such things as enable people to get their needs fulfilled, provided the intention is to serve the creatures of Allah, or the intention is one of those mentioned previously.

2) The Prophet ﷺ said:

مَا أَكَلَ أَحَدٌ طَعَامًا قَطُّ خَيْرًا مِمَّنْ أَنْ يَأْكُلَ مِنْ عَمَلِ يَدِهِ، وَإِنْ نَبِيٌّ  
اللَّهُ دَاوُدَ عَلَيْهِ السَّلَامُ كَانَ يَأْكُلُ مِنْ عَمَلِ يَدِهِ

“No one has ever eaten a meal better than the one he has earned with his own hands. Indeed, the Prophet of Allah, Dawud ('*alayhi as-salām*), ate from his own manual earnings.” [9]

3) The Prophet ﷺ said:

طَلَبُ الْحَلَالِ وَاجِبٌ عَلَى كُلِّ مُسْلِمٍ

“It is wajib on every Muslim to seek (to earn) the lawful.” [10]

4) The Prophet ﷺ also defined the limit of this seeking (to earn):

أَنْتَ لَيْسَ مِنْ نَفْسٍ تَمُوتُ حَتَّى تَسْتَوْفِيَ رِزْقَهَا، فَاتَّقُوا اللَّهَ،  
وَأَجْمِلُوا فِي الطَّلَبِ وَلَا يَحْمِلَنَّكُمْ اسْتِطَاءُ الرِّزْقِ أَنْ تَطْلُبُوهُ  
بِمَعَاصِي اللَّهِ

“No living creature will die without receiving all the sustenance (decreed for him). So, fear Allah. And, exercise moderation (in seeking wealth). Let not haste in seeking sustenance drive you to seek it by disobeying Allah.” [11]

5) The Prophet ﷺ gave glad tiding to an honest trader.

التَّاجِرُ الصَّدُوقُ الْأَمِينُ مَعَ النَّبِيِّينَ وَالصِّدِّيقِينَ وَالشُّهَدَاءِ

“The truthful trustworthy trader will be with the Prophets عليهم السلام, the siddiqs (true ones) and the martyrs (in the hereafter).” [12]

(This does not imply that his rank will be equal to the ranks of the Prophets عليهم السلام. Rather, he will be with them though certainly his rank will be much lower. It is like an ordinary officer in a royal palace. Or a king inviting a pious mentor and with him his servants too. Naturally, they will not enjoy the same esteem as the mentor in the king’s eyes. But, it is a great honour nevertheless that they are with the pious mentor. [13])

6) And he conveyed this terrifying news about a treacherous trader:

إِنَّ التَّجَارَ يُنْعَثُونَ يَوْمَ الْقِيَامَةِ فَجَارًا إِلَّا مَنْ اتَّقَى وَبَرَ وَصَدَقَ

“The traders would be raised on the day of resurrection with the disobedient except those who fear Allah (while doing business) and fulfil their oaths and speak the truth.” [14]

7) The Prophets ﷺ gave guidance to a man:

إِذْهَبْ فَاخْتَطِبْ وَبِعْ . . . فَقَالَ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ هَذَا خَيْرٌ  
لَكَ مِنْ أَنْ تَجِئَءَ الْمَسْئَلَةَ نُكْتَةً فِي وَجْهِكَ يَوْمَ الْقِيَامَةِ

“Go gather firewood and sell it.” (The man to whom he had given this advice went away and collected firewood and sold them. He came back after a few days, having collected ten dirhams). The Prophet ﷺ said, “This is better for you than that begging should appear as a stain (of disgrace) on your face on the day of resurrection.” [15]

In short, industry, labour, trade, service, agriculture and cultivation are also an important segment of religion. If anyone engages in these occupations with a sincere intention respecting the limits of *Shari’ah* then this engagement also turns into worship.

8) Sayyiduna Anas (*Radhiallahu 'anhu*) narrated that he request the Prophet ﷺ to pray for him that Allah may grant him all his supplications. So, he said:

أَطِيبْ كَسْبَكَ تَجِبْ دَعْوَتُكَ. فَإِنَّ الرَّجُلَ لَيَرْفَعُ اللَّفْظَةَ مِنَ  
الْحَرَامِ إِلَى فِيهِ فَلَا يُسْتَجَابُ لَهُ دَعْوَةٌ أَرْبَعِينَ يَوْمًا

“Let your earnings be pure (of the unlawful). Your prayers will be granted. Indeed, a man carries a morsel of the

unlawful to his mouth (and eats) but (because of that) his prayers are not answered for forty days." [\[16\]](#)

More information on this characteristic of the Islamic economy may be seen in the second chapter of this book.

## (4) ALL ARE EQUALLY ANSWERABLE TO ALLAH

The fourth important basic characteristic of the Islamic economy is this command of the noble Qur'an:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ  
تِجَارَةً عَنْ تَرَاضٍ مِّنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ ۚ إِنَّ اللَّهَ كَانَ  
بِكُمْ رَحِيمًا (٢٩) وَمَنْ يَفْعَلْ ذَلِكَ عُدْوَانًا وَ ظُلْمًا فَسَوْفَ نُصْلِيهِ  
نَارًا ۚ

{O you who believe, do not devour each other's property by false means unless it is trade conducted with your mutual consent. Do not kill one another. Indeed, Allah has been Very Merciful to you. Whoever does that out of aggression and injustice, We shall cast him into the fire...} (4:30-31)

Devouring property of another by false means is to do that in any of the ways that are disallowed by *Shari'ah*. Examples are theft, robbery, snatching, treachery, betrayal, deceit, bribery, gambling, speculation and interest or usury. The verses of the noble Qur'an have spoken somewhat on these, and the Prophet ﷺ has covered more of them in his *ahadith*, and the *fiqh* of Islam has collected some details.

This verse begins by declaring as unlawful the consuming of someone else's property in unjust ways. The following words declare that trading is permitted if it is on a mutual basis. The property of others is not forbidden if acquired through trading with mutual consent.

Trading is mentioned here specifically because it is more customary and more often necessary- of course, there are other ways too to acquire property of other people in a just manner and they are mentioned in other verses and *ahadith*. Examples are giving one's property to another gratis as a gift willingly, and it is allowed to the receiver to take it.

While *tijarah* (trading) is generally restricted to buying and selling [17] only, *Shari'ah* includes employment labour and dealings on rent as *tijarah* [18]. When buying and selling, property or merchandise is exchanged for property, and in employment or labour, property or wealth is received against effort and service the word *tijarah* covers both cases, and both are permitted if both parties are agreeable. Without mutual consent, not only buying and selling but also service (employment) and labour are not proper and receipts in this manner are not lawful.

In short, this verse addresses all Muslims. They include the trader, the customer, the industrialist and the labourer, the landlord and the farmer too. It declares as unlawful for any of them to take another's property unjustly or to misappropriate it or use it as though one's own.

An industrialist devours unjustly the property of a labour or servant by not paying him his full wages or salary though he is made to work as agreed with him. Or, he does not pay him the agreed benefits, allowances, perks, provident fund, pension, gratuity, participation fund and so on. Or he dilly-dallies on their release to him.

A labourer or a servant devours the industrialist's property when he draws his dues in full but fails to do the work assigned to him, or does not give the hours he is hired to give, or he does not work as he should but wastes time. Or, he uses official stationery for himself or deliberately causes damage to official property.

In short, all intelligent, sane and adult people are answerable to Allah. If anyone intentionally denies rights of others then it is a grave sin for which the punishment in hell is prescribed. And, in this world the aggrieved have a right to proceed against him in the court according to Islamic law.

This saying of the noble Qur'an warrants particular attention:

إِنَّ اللَّهَ اشْتَرَىٰ مِنَ الْمُؤْمِنِينَ أَنْفُسَهُمْ وَأَمْوَالَهُمْ بِأَنَّ لَهُمُ الْجَنَّةَ

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{Surely, Allah has bought their lives and their wealth from the believers, in exchange of (a promise) that paradise shall be theirs.} (9:111)

Though this verse was revealed concerning the warriors of Islam, yet its words show a general application. They mean that when anyone believes then it is a demand on him that he should submit his life and property in obedience to Allah's commands. In return for that, he is assured of paradise. The covenant between Allah and the believers is described as 'buying'.

In other words, our life and property are trade merchandise. Allah has bought that against paradise. That means that every Muslim is an *ajeer* **اجير** (labourer) and Allah is The *Mustajir* **مستجير** (Hirer, Employer). Here the difference between the industrialist and labourer is done away with in the sense that both are *Ajeer* **اجير** employees and both of them are answerable to Allah.

This tenet of being equally answerable to Allah is also one of the basic principles of Islam. Without this the world cannot be truly at peace and the natural just arrangement too cannot be lasting. Also, the rights of the employee and of the employer cannot be guaranteed.



## (5) MEANS OF LIVELIHOOD & FREE MARKETING

The fifth basic characteristic of the Islamic economy is 'Means of livelihood and free Marketing.' It seems necessary to treat it here in some detail and we shall have to make a comparison with capitalism too.

Islam aims at a natural and workable system of economy that is free of artificial restrictions and monopolistic hold. The means to livelihood should be so wide that every person should be able to choose his own means according to his ability, aptitude, capital and choice of lawful and unlawful means of earning, getting a reasonable return for his work. In this way, his effort and services will be beneficial for himself and society to the optimum level. He will be able to play an effective role in raising a prosperous society.

### TWO GREAT OBSTACLES

To achieve the aim two great impediments have to be surmounted. They are (i) concentration of wealth in a few hands leaving other creatures at their mercy, and (ii) an artificial hold of demand and supply. We shall throw more light on this in the following pages.

Unless these impediments are removed, the objective, of the Islamic economy (over all prosperity) and economic justice) cannot be achieved. We shall mention later on the guidelines provided by Islam to do away with these impediments, insha Allah. But, it is necessary to examine the other systems of economics to some extent, first.

### RESTRICTIONS IMPOSED BY SOCIALISM

In socialism all sources of wealth, work and production, and all means of livelihood like capital, land, farming yards, industries, trade and even individual potency are controlled by the state forcibly. The wealth is in central hands without limit and to a dangerous point and the natural functioning of the laws of demand and supply is simply out of question. However, there is no point in going into the depth of this issue because socialism has already died its natural death.

### ALLURING NET OF CAPITALISM

At the other extreme is capitalism whose hold is becoming stronger with every passing time on most of the countries of the world including Pakistan. While in this kind of economy, the foregoing means of finances are not centralized with the state, yet it is so very selfish and self-centered that wealth is heavily concentrated in a few hands of a specific segment of society or a handful of families. In this system, too, the masses are deprived and helpless. Socialism did this thing openly and forcibly. Capitalism does the same thing in a beautiful camouflaged manner.

In capitalism, there is a very high degree of concentration of wealth. Even the law of demand and supply is rudely manipulated and the concepts of a free market is only in theory.

Interest, interest- oriented banks, betting, gambling, insurance, hoarding, etc. help a few hands to manipulate the economy. They are able to turn the laws of demand and supply to their advantage and play with the price structure in collaboration with the bureaucracy. Using their wealth, they do not only control the markets of import and export, industry and trade but also influence the assemblies and governments. The small traders and small industrialists of a lower level, and the artisans as well as the common people are all at their mercy. Most of the masses are helpless before them as though at their beck and call, and have to accept their control of the economy. The result is that employees are as though slaves and their children follow in the footsteps of the parents. Society is divided into two groups: the rich and the poor and while wealth continues to flow in one down generations, it includes the other. There are few jobs but many aspirants with the result that the entrepreneur has his say always. The poor become poorer and the rich richer.

Before proceeding further, let us first try to know about the snare set up by this system.

## NOOSE OF CAPITALISM –INTEREST ORIENTED BANKS

The most nefarious web of capitalism is interest. The masses are cheated mercilessly through it monetarily and freedom-wise. For instance they lure people to invest on the assurance of a handsome return doing nothing. The return, meaning interest, is between six and nine percent per annum. The depositors deposit their savings for safe-keeping in banks instead of investing their hard-earned money in some business or undertaking. That would have promoted small-scale business and industries all over the country in villages and towns, and, seeing each other, more people would have ventured to do the same thing. New jobs would have been created and there would have been no unemployment. But, not so!

All this money goes to banks. The bankers are a limited number of people and their own investment is paltry.

Although all the capital of the banks belongs to the depositors, yet they are not allowed to interfere in administrative matters. They have lent their money on interest, not as partners. The owners alone supervise administrative and financial affairs of the bank. They abide by the directives of the central Bank of the Country (in Pakistan the State Bank of Pakistan, in India the Reserve Bank of India, and in the Great Britain the Bank of England). There banks do not transact any business themselves but lend money to the rich traders, industrialists and agriculturists at higher rates of interest.

A bank does many kinds of work. Some of these are beneficial and allowable, but its main business is money-lending. It invites deposits at lower rates of interest and lends at higher rates of interest. It generally pays 8% to depositors but lends to its borrowers at between 18% and 22%. However, a bank's earnings are more than these figures show. We shall see in the following pages banks do an exercise, 'creation of money' whereby they earn many times the ten or twelve percent these figures show.

A bank retains some cash for every day transactions. It keeps a portion with the central bank as prescribed by law. The rest of the money, it lends to guaranteed borrowers on interest. Small traders, artisans and the poor people have no possibility of getting any loan, even if their children die of hunger or any of them has died and final rites have to be arranged. A poor man also has no hope of borrowing from his relatives because they too may have deposited their money in banks.

Banks will not generally lend for education or other noble causes too unless their rate of interest is paid to them. These money-lending banks attract all the capital and it is their business to find borrowers who will pay high rate of interest to them. Their usurious nature has nothing to do with who is in need of money more or what project is more required for national prosperity. They are selfish and are motivated only by interest but are not concerned with the status of the borrowers and his need. He may be a scientist or an engineer and his assignment may be of national importance. He may be a scholar or a writer. None of them qualifies in their eyes unless the interest they demand is paid to them. Indeed, their demand is a compound interest which the scholars will not be ready to pay, nor would they be able to pay even if they wished to borrow on interest.

The banks see the multi-millionaires as their most eligible clients though they might use the money to open night clubs and places of indecency or to produce films.

The result is that the money of the nation remains in the hands of a few rich people.

Moreover, the money that the banks lend to the rich people is not on a profit and loss sharing basis (as *Mudarabah* and *Musharakah*). Rather, it is a purely interest loan. The businessmen have to pay interest in all circumstances.

Obviously, the businessmen, agriculturists etc; who borrow from the banks, do not pay the interest from their own pockets. Rather, they add it to their cost of the product or merchandise and pass it onto the ultimate consumer. Prices increase and also suck the blood of those depositors with whose deposits the bank had played the game allowing the millionaires to add to their coffers.

## A RUSE: CREATION OF MONEY:

These banks have a subterfuge called 'creation of money'. It is like a magic lamp, for, by a simple machination of figures in their books they raise money many times their actual holding, loan that out as though they really have that and earn in interest on the exercise.

Those who pay this interest, add it to their cost of products and the burden is borne finally by the consumers. The depositors who had received 8% interest pay the high prices in the inflation.

The banks also have the current accounts and the float. They pay no interest to these depositors yet they use this money for their business of interest-taking. This also adds to inflation.

It is sheer injustice that the deposits are used by banks to build their high-rises, pay for the exorbitant expenses of their owners and officers, maintain their money-lending ploys and lofty-style living, yet these deposits are used against the very clients who deposit their money with the banks. They are burdened by high prices. They receive only 8% while the banks earn much more than 12%. Those who borrow from the banks earn heavy profits from the masses from whom the depositors arise. The 8% that they get on their deposits is nowhere to be seen. Rather, they feel the pinch of high prices. The hidden hands take away from them much more than what the visible hands had given them.

## NATIONALISED BANKS

This concerned the private banks. As for the nationalised ones owned by the state, nearly the same game is played by them too. The only difference is that in the former, the public is plundered by individuals outside the government but in the latter, the bureaucrats and the ruling class combine to dupe the masses.

In fact, in countries like Pakistan, people who exercise some political influence and possess much money borrow trillions of rupees from the nationalized banks and get their loan written off by the government as political bribery. Let alone defaulting on interest, they appropriate the principal amount too. [\[19\]](#)

The burden is carried naturally by the State Treasury and the depositors. Further, to cover the loss, the government imposes new taxes on its subjects so that the poor and the employed bear the brunt because the traders are quick to pass on their liabilities on others through high prices, and pocket their normal profit.

## ANOTHER EVIL OF THE BANKS

If a man owns rupees ten million and he borrows from the bank rupees one hundred million on interest for his business and suffers a loss, he becomes bankrupt but his own loss is to the tune of ten million only while the remaining amount ten times as much is borne by bank. The depositors will suffer if the bank fails but if it absorbs the loss without passing it on to the depositors the national exchequer will put up with it, if it is a nationalized bank. Of course, the poor people will be the actual sufferers. So, as long as the capitalist profits, he pockets the gains himself. The common people get no share of it. But, when he is in the red, then, the pinch is felt by the common men.

## POOR NATIONS SUFFER FOR THIS ALL OVER THE WORLD

Capitalism does not stop at that. Rather, just as the bureaucrats, capitalists and the politicians have no fear of the hereafter at all and get together to rob their subjects, in the same way, the capitalist big powers rob the weak, poor countries. They conspire in different ways and confuse the poor countries by instilling in them fear of external threats and internal unrest so that they are compelled to borrow from them on interest. If any country is trapped by them once then the noose gets tighter and tighter day by day. The rate of interest continues to increase and the conditions of loan become more stiff with every passing time. This situation is inherited by generations who pay

interest upon interest so that the debtor country is disabled to pursue its plans for prosperity and all its revenues barely pay of its defence expenditures, debts and interest thereon. The result is that the rulers continue to levy new taxes on their subjects to pay the piling interest bills. They get more loans to lead a life of pleasure.

The rulers are, therefore, there merely in name, for, they actually are puppets of the creditor nations assigned to collect taxes for them.

The local capitalists pass on their taxes to the ultimate consumers by increasing their prices. The end-users are heavily burdened and feel the pinch. The local currency falls in value miserably, inflation increases and the subjects have to shoulder the heavy burden of interest payable to external creditors while the rulers and the moneyed-class lead on extravagant life, unmindful of these predicaments.

In short, the capitalist nations extract the hard-earned earnings of the poor people of the world. Their coffers continue to be filled at the expense of the poor nations. [20]

## THE QUR'AN'S DECLARATION OF WAR AGAINST INTEREST

This much is a very simple account of the evil of interest taking and-giving. But, if the subject is to be covered in full touching on its economic, social, conventional and spiritual evils then a whole book would not be enough because they are so many and there are evils within evils. Even if we ignore the details of this crime against mankind, it will not be difficult to understand from these examples why the noble Qur'an has declared interest as forbidden and unlawful in a very strong manner such as it has used only against disbelief and polytheism and not against any other crime.

The noble Qur'an has made an uncategorical declaration of interest being unlawful and of its evils in seven verses. Four of these are in *surah al-Baqarah*, one in *surah Aal Imran* (verse 130), and two in *surah an-Nisa* (verses 160,161). We reproduce here an explanation of the verses of al-Baqarah. [21]

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي  
يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا  
إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ  
الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِنْ رَبِّهِ فَانْتَهَى  
فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ عَادَ  
فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ (2)

{Those who take riba (usury or interest) will not stand but as stands the one whom the demon has driven crazy by his touch. That is because they have said, "Sale is but like riba," while Allah has permitted sale, and prohibited riba. So, whoever receives an advice from his Lord and desists (from indulging in riba), then what has passed is allowed for him, and his matter is up to Allah. As for the ones who revert back, those are the people of the fire. There they will remain forever.} (2:275)

We must observe that the noble Qur'an does not say that one who consumes interest will stand on the day of gathering as a mad or insane man. Rather, a particular kind of insanity is mentioned as though a *jinn* may have possessed him and made him demented or crazy. There is a hint here that an unconscious and insane man sometimes becomes inactive and silent, but these people will not be found in that dormant state. Instead, they would be identified by their ranting, raving and crazy doings as a result of the satanic touch.

Or, there might be yet another hint, here. It is commonly noticed that human senses come to a flat nothing after fainting or insanity following a sickness; the very feeling of pain or punishment is just not there. But these people will not be found in that inert state. On the contrary, they would feel, with full sensitivity, the pain and the punishment like one shadowed by a demon.

Punishment is certainly appropriate to the crime. Therefore, the raising of the consumers of *riba*, without sense, on the day of resurrection is perhaps indicative of a certain parallelism. They were senseless of anyone's pain because

of their greed for money, so they were raised on the day of resurrection in the same condition.

يَمْحَقَ اللَّهُ الْرِبَا وَ يُرَبِّي الصَّدَقَاتِ  
وَ اللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَتِيمٍ

{Allah destroys riba (in this very world sometimes, in the next definitely by punishing there) and nourishes charities in this world at times, otherwise (in the hereafter for sure as explained in the previous verse). And, Allah does not like any sinful disbeliever. } (2:276)

This verse mentions charity with interest because there is a contradiction between interest and charity, in their essence. They both have contradictory consequences and generally the doers of the two things have opposite objectives. The difference in them because of their essence is that he who gives charity to anyone does so without getting a return for it, but the taking of interest is to take someone's property without giving a return for it. The aim of the doers is at variance because the giver of charity spends his wealth on another merely to earth Allah's pleasure and reward in the hereafter. But, the one who devours interest desires an unjust increase in his current holdings. The results are quite different as this verse of the Qur'an, under discussion, makes clear. Allah destroys the wealth of the taker of interest or removes blessings from it, but increases the wealth of the giver of charity or adds to its blessings. Therefore, the greed of the former is never satisfied, but the wealth of the latter is blessed and its fruits are multiplied.

Perhaps someone might point out that presently those who take or give interest live a life of luxury in huge houses and own large businesses with a retinue of servants to serve them. They have everyone at their back and call and whatever they desire is easily available to them.

However, there is a wide difference between things of comfort and comfort itself. The things and materials of comfort and luxury are sold in the market after they are manufactured or produced and are bought against money, gold or silver. But, that which is called comfort is neither made in a factory nor sold in the market. It is a kind of mercy that is bestowed by Allah, the Exalted, directly. Sometimes, it evades the seeker in spite of his possessing a multitude of effects of comfort and luxury. An example is sleep. A person can arrange for a very comfortable house and have a very soft and appropriate bed and mattresses, but do these things guarantee a sound sleep to him? There are thousands of men who will vouch that sleep eludes them whatever they do to get it. Sometimes, even sleeping pills have no effect. You might buy the best of things to help you get sleep, but you cannot buy sleep at any price from anywhere at all.

The same thing applies to other comforts, happiness and pleasures. The aids to them may be bought on cash any time, but these things cannot be guaranteed because of the aids.

Look deeply into the lives of those who devour interest. You will find that they possess everything but not comfort. They will be occupied madly in multiplying their money, doubling or tripling their millions and will have no time for meals or rest and for their families, or will be travelling all the time.... How sad that they mistake articles of comfort as comfort! In reality they are nowhere near comfort!

Perhaps people may be deceived by the life of the western countries where people seem to live a life of luxury. I have spoken of their living, previously, whose fresh example is the statistics released by the French media about the rate of suicide in their country. In 1991, there was a suicide every five minutes. The reason was not poverty but many rich people were among them. So, the reason was restlessness and uncertainty.

Further, they may be compared to some cannibals who live on the blood of other people. If an outsider sees them, they will look sound and healthy, but it is not correct to judge the entire people by the look of the cannibals. An overall observation will disclose that a majority of the residents whose blood the cannibals suck is in bad shape. So, too, judgement may not be passed on the people of the west by looking at the well-to-do only. Their lives are not the sign of prosperity. Rather, they are symbols of decline and degradation.

In comparison to them, those who give out charity, you will not find them chasing money. They may have a minimum of articles of comfort, but they are more peaceful than those who possess a plethora of articles of comfort. They own a content heart that is true comfort. Everyone respects them.

In short, Allah erases *riba* but nourishes charities. This statement is very clear relative to the hereafter. However, if we try to understand it with a little effort, it is as open in respect of this worldly life. Perhaps, this verse hints at the malady of interest-based economy which in today's terminology is termed a 'trade cycle' whereby the economy swivels between inflation and depression taking in its wake people unawares. Plunging millionaires into bankruptcy, and creating large-scale unemployment.

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنْتُمْ مُؤْمِنِينَ

{O those who believe, fear Allah and give up what still remains of the *riba* if you are believers.} (2:278)

Before interest was disallowed, the Arabs used to conduct this business. When it was disallowed, all Muslims gave up dealings in interest but they had receivables against interest so the question arose whether they could claim them. This verse was then revealed making clear that no outstanding interest must be paid or received, but the principal must be repaid. Therefore, the Muslims wrote off a large sum of receivable interest from the non-Muslims. The first of the interests written off was receivable by the Prophet's ﷺ uncle Sayyiduna Abbas (*Radhiyallahu 'anhu*). Many non-Muslims had to pay a large sum of interest to him.

This means that it is disallowed to receive interest from the non-Muslims too.

The next verse declares war against those who persist.

فَإِنْ لَمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ

{But, if you do not, then listen to the declaration of war from Allah and His Messenger.} (2:279)

This warning is so severe that no warning of such severity appears elsewhere in the Qur'an in relation to any sin howsoever grave, except disbelief.

Some ahadith on this subject

Only four of the seven verses of the Qur'an. We reproduced here. There are more than forty *ahadith* [22] about the prohibition of interest, about its bad effects on religion and on worldly life, and about Allah's punishment against that. We reproduce here only five of them.

١- عَنْ جَابِرٍ قَالَ: لَعَنَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَكِلَ الرِّبَا، وَ مُؤَكِّلَهُ، وَ كَاتِبَهُ، وَ شَاهِدِيهِ، وَقَالَ: هُمْ سَوَاءٌ.

1. Sayyiduna Jabir (*Radhiyallahu 'anhu*) narrated that Allah's Messenger ﷺ cursed one who consumes (takes) interest, one who feeds (gives) it, one who records it (the transaction) and those who witness the transaction, saying, "They are all at par." [23]

٢- عَنْ سَمُرَةَ بْنِ جُنْدُبٍ رَضِيَ اللَّهُ عَنْهُ قَالَ:  
 قَالَ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: رَأَيْتُ اللَّيْلَةَ  
 رَجُلَيْنِ أَتَيَانِي، فَأَخْرَجَانِي إِلَى أَرْضٍ مُقَدَّسَةٍ،  
 فَأَنْطَلَقْنَا حَتَّى أَتَيْنَا عَلَى نَهْرٍ مِنْ دَمٍ، فِيهِ  
 رَجُلٌ قَائِمٌ، وَعَلَى شَطِّ النَّهْرِ، فَإِذَا أَرَادَ  
 الرَّجُلُ أَنْ يَخْرُجَ رَمَى الرَّجُلُ بِحَجَرٍ  
 فِي فِيهِ فَرَدَّهُ حَيْثُ كَانَ، فَجَعَلَ كُلَّمَا جَاءَ  
 لِيَخْرُجَ رَمَى فِي فِيهِ بِحَجَرٍ فَيَرْجِعُ كَمَا  
 كَانَ، فَقُلْتُ: مَا هَذَا؟ فَقَالَ: الَّذِي رَأَيْتَهُ  
 فِي النَّهْرِ أَكَلَ الرَّبَا.

2. Sayyiduna Samurah ibn Jandub (*Radhiallahu 'anhu*) narrated that the Prophet ﷺ said, “Tonight I dreamt that two men (angels) came to me and took me to a sacred place. We arrived at a river of blood. A man was standing inside and, on the bank of the rivers, another man was standing. He had some stones with him. The man who was inside the river advanced (towards the banks) and as he intended it come out, he struck a stone at his mouth causing him to return where he had been. He struck him at his face with a stone every time he came to come out, so he returned where he was. I asked. ‘What is this?’ He said, ‘The one you saw in the river consumed interest’.” [24]

٣- عَنْ عَبْدِ اللَّهِ بْنِ حَنْظَلَةَ رَضِيَ اللَّهُ عَنْهُ  
 غَسِيلِ الْمَلَائِكَةِ قَالَ:  
 قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ:  
 دَرَاهِمُ رَبَا يَأْكُلُهُ الرَّجُلُ وَهُوَ يَعْلَمُ  
 أَشَدُّ مِنْ سِتِّ وَثَلَاثِينَ زَنِيَةً.

3. Sayyiduna Abdullah ibn Hanzalah (*Radhiallahu 'anhu*) narrated that Allah’s Messenger ﷺ said, “Consuming one *dirham* of interest knowingly, is more serious than perpetrating adultery (or fornication) thirty-six times.” [25]

٣- عَنْ عَبْدِ اللَّهِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ قَالَ:  
 "الرِّبَا ثَلَاثَةٌ وَسَبْعُونَ بَابًا، أَيْسَرُهَا مِثْلُ أَنْ يَتَكَحَّ  
 الرَّجُلُ أُمَّهُ " هَذَا حَدِيثٌ صَحِيحٌ عَلَى شَرْطِ  
 الشَّيْخَيْنِ وَلَمْ يَخْرُجَاهُ

4. Sayyiduna Abdullah (meaning, Ibn Mas’ud (*Radhiallahu 'anhu*)) narrated that the Prophet ﷺ said, “The sin of *riba* is of seventy-three kinds. The least severe of them is like that of a man committing illegal sexual intercourse with his mother.” [26]

٥- عَنْ عَبْدِ اللَّهِ بْنِ مَسْعُودٍ رَضِيَ اللَّهُ عَنْهُ عَنِ  
 النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ  
 قَالَ: الرِّبَا وَإِنْ كَثُرَ فَإِنْ غَاقَبْتَهُ تَصِيرَ إِلَى قَلٍ.

5. Sayyiduna Abdullah ibn Mas’ud (*Radhiallahu 'anhu*) narrated that the Prophet ﷺ said, “*Riba* (interest) howsoever much it be, turns into very little in the end.” [27]

## COMMERCIAL INSURANCE

You have seen how the interest-based banks deceive the poor masses into parting with their earnings and then they  
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create a monopoly with that money and compel the masses to obey them. The profits go to the capitalists and the masses have no share of it. But, if there is an upset then the capitalist bears only a small percentage of the loss while the masses shoulder most of the burden.

However, the capitalist economy devised a way to offset that small percentage of loss to the moneyed-class. They transferred it too to the masses. Rather, they conspired to extract more money from them under the garb of Commercial Insurance based on interest and gambling. Like banks, the insurance companies, too, have their network all over the world.

These companies lure the people to part with their money in regular instalments of premium by frightening them with various accidents and assuring them of a handsome compensation in lump sum.

This is another of the ways of capitalism to concentrate wealth in a few hands. Very little of what these companies collect goes to the insurers when they happen to suffer some accident. All the rest goes to the owners who double or quadruple their assets, and it furthers social evils that are associated with concentration of wealth and selfishness. They create a false impression that they favour and help those on the verge of collapse. However, if the facts are examined, most of the time the capitalists get away with much of the amount paid to the insurers when they make fake claims with the company, like they set fire to their worn out machinery and get a compensation enough to acquire new ones, or to their written-off trade merchandise. Of course, there are a few genuine cases where the middle class get their insurance, but these cases are scarce like the bait used to entice fish. Generally, the rich are compensated with the money of the poor masses who do not own ships that might drown or go down that might catch fire.

## COMPULSORY THIRD PARTY INSURANCE

There is a kind of compulsory insurance that everyone has to take. It is called third party insurance and is mandatory on every car owner, motor cycle owner and motor rickshaw owner to pay an annual premium to insure his vehicle even very old vehicles.

The insurance company, which is normally privately owned, obtains the premium compulsorily. It is a limited company, not state owned, but this law is so strict that proof of insurance must be carried in every vehicle otherwise the police might register a case against the owner.

I personally enquired from several owners of vehicles if anyone had benefitted from this kind of insurance or any of the others involved in accidents with them had been compensated by the insurance companies, but no one had been paid any insurance money at all.

In order to write this article, I perused the papers of the third party insurance of my car, first time in my life. These papers assure that any kind of loss suffered by anyone else by my car will be made up. Why this does not happen, I write down for my readers to know:

1. The responsibility of the company is printed in fine point except the portion about the owner's liability and punishment in case of failure by him which is in bold and which says that the Motor Vehicle act 1939, section 125/94 makes it a crime to drive a vehicle without this insurance, punishable by three months in Prison or a fine, or both. This is also printed in *Urdu* but the company's responsibility is printed in English and in very fine point.
2. The company's responsibility is beyond comprehension of the rickshaw or taxi drivers and truck drivers because it is in English.
3. They are printed in fine point so that they cannot be read without difficulty.
4. The compensation offered is ridiculously low, rupees twenty thousand only even if the loss is in millions, or a life is lost.
5. There are so many conditions attached that to meet all of them is very nearly impossible.



6. The insurance company enjoys so many options that it can easily evade its responsibility. It seems that the company and the relative law have no intention to meet their responsibility.

7. The document emphasizes repeated that the insurance company has option to have recourse to the courts of law against the claimant.

8. The law mentions so many riders to permit the insurance company to avoid payment of compensation.

9. The procedure to file a claim and to have it approved is very complex.

10. The entire document is couched in such technical and legal language that merely knowing the English language is not enough to understand it. Either the insurer must acquaint himself with legal parlance or hire a lawyer to help him out. One must imagine that the legal fees would be.

11. The documents that are before me pertain to the year 2009 for a car. The schedule of fees (or premium) printed thereon is Rs 466 and it is worked out thus:

(i) Premium Rs 400/-

(ii) Administrative surcharge 20/-

(iii) Central Excise duty 40/-

(iv) Federal Insurance fees 4/-

(v) Stamp duty 2/-

Total Rs 466/-

12. This fees is for one year. The following year a different schedule will be notified.

13. This fee gets an Insurance Certificate for the owner but it is non-transferable which means that if the car is sold to another person then he shall have to make a fresh payment all over again, and so every new owner will pay his fees for insurance.

14. The procedure to observe to receive the paltry insurance compensation (Rs. 20,000/-) is so cumbersome that in a country like Pakistan it is practically impossible to follow it without a legal advisor.

15. The head office of this insurance company is in Lahore and its zonal office is in Karachi. Imagine if a third party is killed or his vehicle is damaged heavily and he lives far away from these two places then how will he contact the company? He will have to act swiftly. Will he undergo the hardship for a vague promise of rupees twenty thousand? And pay the legal adviser? If he is in Karachi or Lahore, is it not better for him even then to forget the unpredictable assurances of the company than to go through the cumbersome exercise for something that he is unlikely to get? Should he not tell himself that the annual insurance premium that he pays is an extortion money that he must surrender?

The owners of the vehicles generally regard the premium as one of the many taxes charged by the government. Many do not even know that they are not paying a tax but premium.

This figure is for an individual. If the overall annual total is calculated, the insurance companies earn a very fat amount. Let us see the breakup of these figures.

## NUMBER OF VEHICLES IN KARACHI

According to the report of the D.I.G, Karachi Traffic police, dated 16 April 2008, the number of registered cars in Karachi in 2007 was 1,809,500.

The report says that from 2002 to 2007 the rate of increase in cars per year kept multiplying. In 2006, there was an increase of 178,763 cars and in 2007 it was an increase of 198,743 cars. [28]

Though the report does not say so, it means that the minimum increase in the number of cars in 2008 was at least as much as in 2007. Hence, there were 2,008,243 cars in Karachi in 2008 C.E.

We have seen previously that of the fee collection of Rs.466, the insurance company pockets Rs.400. Perhaps, the collection on small vehicles, like motor cycles, is lesser and on larger vehicles, like trucks, more. We also learn that the insurance company is generous with some people and institutions and offers them a discount in their fees. So, we take a liberal view and regard its average collection as Rs 300 per vehicle on which basis the total collection in 2008 in Karachi on 2,008,243 vehicles came to Rs.602,472,900 (six hundred two million four hundred seventy two thousand and nine hundred rupees).

If this is not extortion that the insurance company gets by force then what is it?

Given this figure for Karachi, what would be the total collection from the entire Pakistan? The daily Jang's Development Reporting cell gives the number of vehicles in Pakistan in 2007 as 6,210,000 in its report of 25<sup>th</sup> October 2008. [29]

But, this report does not clarify whether the number of vehicles includes the smallest and the largest, like motor cycles, trucks, buses, trawlers, while the report regarding Karachi includes all these vehicles. However, we shall presume that the 6,210,000 vehicles in Pakistan comprise all these sorts. On this basis, the collection works out Rs.18,630,000,000. This means that the insurance companies collected over rupees one billion in 2007 CE. We have seen that the number of cars and other vehicles multiplies each year. So, an estimate may be made of the country-wide collections in 2008.

Clearly, this is a collaboration of the bureaucrats and capitalists to give a legal cover to the insurance companies to loot the masses, most of whom are poor and middle class people.

This is one small trap door to beguile the masses. If we probe deeper, we might find many more trap doors. These are the creation of the cunning Jewish mind.

In short, capitalism is an alluring mill whose two circular stones are the bureaucracy and the capitalists who do not have any respect for the lawful and the unlawful. The two millstones grind the masses mercilessly in the name of democracy very cunningly so that they cannot detect those who grind them.

خنجر پہ کوئی داغ نہ دامن پہ کوئی چھینٹ  
تم قتل کرو ہو کہ کرامات کرو ہو!

Therefore, under this system or working, every interest based bank is a Blood Bank. The blood of the poor is collected to be transfused to the international money-lenders.

The kinds of insurance policies in vogue today as known to us are based on interest or gambling, or on both. We have reproduced the clear and strong prohibition of interest as emphasized in the Qur'an and *ahadith*.

## QUR'AN PROHIBITS GAMBLING

The noble Qur'an strongly prohibits gambling. Rather, it brackets it with polytheism and wine. It says:

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ  
وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ  
لَعَلَّكُمْ تَفْلَحُونَ ﴿١﴾ إِنَّمَا يَرِيدُ الشَّيْطَانُ  
يُوقِعَ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ  
وَالْمَيْسِرِ وَيَصُدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ  
فَهَلْ أَنْتُمْ مَّنْهُونُونَ ﴿٢﴾

{O you who believe! Wine, gambling, altars and divining arrows are filth, made up by Satan. Therefore, refrain from it, so that you may be successful. Satan wishes only to plant enmity and malice between you through wine and gambling, and to prevent you from the remembrance of Allah and from salah. Would you, then abstain?} (5:90-91)

## HADITH CONDEMNING GAMBLING

We may also realize the evil of gambling and betting from this saying of the Prophet (ﷺ):

مَنْ قَالَ لِصَاحِبِهِ "تَعَالَ أَقَامِرَكَ" فَلْيَتَصَدَّقْ

“He who says to another only with his tongue, ‘Come, let us gamble!’ (without meaning to do it), must give some charity (to atone for it because he perpetrates a sin).” [30]

## THE ISLAMIC ALTERNATIVE TO INTEREST BASED BANKS & INSURANCE

The question does arise about an arrangement alternative to banks when all the work domestic and international is being done through banks. People deposit their savings in banks and international transactions are routed through them. There is no other way to do this, and savings are necessary to promote national business and industry and to give employment to the people creating more opportunities for it. So, the question arises whether Islam has alternative ways to promote trade and industry and create job opportunities and at the same time abstain from interest and betting. May banks and insurance be conducted without interest and gambling?

## INTEREST-FREE BANKING

Praise belongs to Allah, there are such methods and much research is done in this connection. A couple of interest-free banks have been established in the Middle East. However, the Islamic Ideological Council in Pakistan, has done serious work on this in 1980 and established a bank. It has offered twelve proposals to operate interest-free banking. The learned *ulama* adept in *Shari'ah*, expert economists, bankers, businessmen and lawyers joined together to examine the possibilities, day and night. Their report served as a guide for the Muslim world so that other Islamic countries put it into practical shape.

By Allah's grace, presently there are about two hundred financial institutions in the world, that run interest-free banking in part, meaning that they have created separate departments to conduct transactions of the Bank without interest.

The *Shari'ah* appellate Bench of the Pakistan Supreme Court whose driving force was My dear brother, Mawlana Mufti Muhammad Taqi Usmani gave a historical decision, made up of one thousand one hundred pages. It decided that every kind of interest based transaction is contrary to the teachings of the Qur'an and the *sunnah* and forbade it by law with effect from June 2001. Regretfully, however, the dictatorship ruling Pakistan at that time used disgraceful ploys to defer the implementation of the judgement. Rather, they also relieved the judges who had

passed the historical judgement and stained themselves black. (إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ) (To Allah we belong and to Him is our return.)

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However, interest free banking is the need of the hour. Indeed, in answer to this need, there are now banks in Pakistan and elsewhere that have resolved to introduce in all their departments work without interest and gambling.

## MUDARABAH CONTRACT

Among the methods of interest-free banking is shirkat wa *mudarabah* or the *mudarabah* contract. It can make possible the realization of the lofty ambitions of the Islamic economy, including proper distribution of wealth in the country. In contrast to the concentration of wealth and monopoly promoted by interest based banks and their capitalist patrons, the profit on the capital will not be spread and will be shared by the depositors of the banks in a reasonable proportion because the interest-free banks will not take interest from their customers (borrowers) but will be partners in their businesses and profit and loss. Their depositors will also share the profit and loss of their banks and in this way they will become partners in the trading of the entire country. So, instead of the paltry sum of money as interest on their savings, they will get insha Allah a very reasonable share from the profit of the national trading.

## OTHER OPTIONS

If other methods of banking, like murabahah contract and *ijarah* or leasing contract, are used then, though they are permitted, they will not remedy many economic evils that are products of capitalism. They must not be used exclusively instead of mudabahah or overused otherwise the common evils of capitalism will not get rid of and prosperity will continue to be a far cry. We have mentioned the economic evils under the caption Interest oriented Banks.

If interest-free banking is to be properly run then banks as well as the trade and industries dealing with them will have to give up the concept and thinking of selfish capitalism and develop an Islamic mind and the concept of justice.

More than that, our Islamic government will have to discharge its constitutional obligation and take revolutionary steps in the economic field. The foremost of these is to prohibit all forms of interest business and gambling.

We pray that Allah may inspire all these three parties. The government, the banks and their clients- to take appropriate measures. Aameen!

## ISLAM'S SUBSTITUTE FOR INSURANCE

Praise belongs to Allah, significant progress is also made in replacing insurance with its Islamic alternative. Institutions of waqf are being created on the principle of mutual cooperation and help to replace insurance as it exists today. Through these institutions (or organisations), their members will be compensated fully for their losses and accidents in an Islamic manner. Since these institutions will not belong to anyone but will be waqf (trust) property, the deposits of its members will be accumulated as waqf and used to compensate them. No surplus will go to anyone else but will remain with the institutions as trust property. The stipulated agreement will be observed, so the surplus might be disbursed among the members at the end of the year, or donated to charitable causes for the weak people of the society. Insha Allah, this waqf will be used to benefit the society.

## CAPITALISM HAS NO FREE MARKET

Capitalism boasts of a free economy and a free market. But, neither is the law of demand and supply liberal nor is economy and market free. Only the rich is free to manipulate economy, trade and the market and reign supreme over peoples and States. Of course, it may be said to be a free economy relative to socialism because the capitalist is at liberty but trade and economy and the common people are not free even in capitalism.

Pakistan's economy is an admixture of capitalism and feudalism. The villagers who form about eighty percent of the

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country's population are enslaved by the feudal lords and chieftains of different kinds. In cities, the bureaucrats and the wealthy hold sway.

On the other hand, Islam's teachings aim at disseminating wealth in many hands instead of concentrating it in few hands. In this way, the gap between the rich and the poor will be minimized to a natural and workable level. Islam's teachings aim at letting the law of demand and supply work and at having a free market, plenty of the means of livelihood and opportunities of earning according to aptitude, effort and capital.

## ELIMINATING CONCENTRATION OF WEALTH

The economic teachings of Islam have placed obstacles at every approach from which concentration of wealth is liable to intrude. The noble Qur'an says:

كَيْ لَا يَكُونَ دَوْلَةٌ بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ ۖ

{.. so that it may not circulate only between the rich among you.} (59:7)

Therefore, Islam recognizes earnings through lawful means by an individual (which socialism decries). Also, it has enacted laws to respect and protect it to the extent that any evil hand to take it away should be cut off (like a thief's). However, it has also kept a tight rein on individual ownerships so that no particular section of society appropriates it (and monopoly is discouraged). These commands of Islam deter concentration of wealth in a few hands.

(1) Interest and gambling are prohibited strictly. Verses of the Qur'an and relative *ahadith* have been quoted in the previous pages.

(2) Speculation and forward trading have been disallowed as we shall see in the discussion on the laws of demand and supply.

(3) Such forms of commission agency or brokerage and hoarding as result in inflation are disallowed. We shall see some *ahadith* about them in the discussion on the forces of demand and supply.

(4) Rights of the poor are stipulated even in wealth that has been collected lawfully. The noble Qur'an says about the believers:

وَالَّذِينَ فِي أَمْوَالِهِمْ حَقٌّ مَّعْلُومٌ ۖ لِلسَّائِلِ وَالْمَحْرُومِ ۖ

{... and those in whose riches there is a specified right for the one who asks and the one who is deprived...}(70:24-25)

Therefore, the rich has to pay *zakah*, *ushr*, *sadaqatul-fitr* and the receipts of the hide of the sacrificed animal if it is sold, *fidyah* of salah and fasts and many kinds of expiation at specified rates. These are rights of the poor only and it is not a favour on them but their right to receive them.

(5) Non-Muslims living in any Muslim country are liable to pay only one tax, the *jizyah* and if they possess a productive land then a small tax, called *kharaj* is payable on that by them.

(6) Receipts from the enemy, *ghanimah* (spoils) and *fa'i* (spoils acquired without fighting) are disbursed in a fair manner.

(7) A legal responsibility is placed on members of the family in a prescribed manner under the head of *nafaqat* (spending). It calls for maintenance of women, children, orphans, and the handicapped relatives. Indeed, if the capable members of the family do not fulfil the obligation, then legal recourse may be had against them in courts of law. (Details may be studied in books of *fiqh* under the chapter *an-nafaqat*.)

(8) Muslims are exhorted strongly to offer voluntary charity in Allah's path including sadaqah jariyah (a recurring charity), awqaf (trust), etc. to help the weak members of the society. They have been assured of tremendous reward and blessings in both the worlds for this kind of charity.

(9) After having met miscellaneous expenses during one's lifetime, whatever remains is disbursed in a judicious manner according to natural principles in the form of inheritance to the family members and relatives. A law prescribes it. In contrast, the Christians give away all the inheritance to the eldest son or the eldest daughter depriving the spouse. Other children and parents of the deceased man. Islam denounces concentration of wealth and the law of inheritance prescribes that the wealth and property of every person transfer to many people, generation after generation gradually and continues to be divided.

(10) The natural laws of demand and supply are protected. If they are neglected then wealth concentrates in a few hands as a consequence. We shall read more of it in the lines to follow.

## A STUBBORN OBSTACLE

If in spite of these checks, any wealthy person denies the share of provision to other people then such a one must be dealt with by the Islamic government. The books of *fiqh* may be consulted for details.

This way all avenues to concentration of wealth are shut and a fair principle is specified for trade, industry and employment opportunities. Thus, if the Islamic working is adopted in its real sense and the economy is rid of interest, gambling and speculation, and banks are oriented along the Islamic lines and insurance on the principle of mutual cooperation, then definitely wealth will be shared in a balanced manner, the profits and loss of industry and trade in the country will be available to the people, the depositors will be concerned with the entire country's business and everyone will feel the pinch of a national loss so all will try to avoid any loss to the national exchequer and profits will belong to everyone, so each of them will make efforts to strengthen national production and prosperity.

This would put an end to the chaos and merciless rioting in the streets in which mobs burn down public property. They will stop doing this when they know that they have a share in these things and the profit and loss thereon belongs to them. The economy and markets will be without control, as also the forces of demand and supply and competition with the result that no one will be able to manipulate the market and prices would be competitive. Profits, wages and salaries would be at a reasonable level, and small-scale trading and industry will thrive. There would be plenty of job opportunities and wealth would circulate among all classes of people. Labourers would not be compelled to work at low wages against their will.

## INDEPENDENT OPERATION OF THE LAW OF DEMAND & SUPPLY

It is a natural working of the laws of nature that every individual in every department of life is dependent on the help of another person to get what he needs. All men are tied together in this relationship of mutual need and they fulfill the requirements of each other and so of the society as a whole. Man needs the woman. Woman needs the man. Parents and children, teachers and students, trader and client, mill-owner and labourer, landowner and farmer- they all depend on one another.

This mutual dependence in the economic field is called the law of Demand and Supply. When supply of something diminishes and its demand increases, its price will increase. So more of it will be produced or supplied. When supply exceeds demand, its price falls, so its producers and suppliers turn towards something else that is more in demand. In this way, producers and suppliers make available such needs of the society as get them better profits. So, the prices rest at a balanced point automatically.

This Law of Demand and Supply also works in the same way in commercial relations equally strongly. Traders, industrialists and land owner need labourers and workers who, in turn, need a livelihood. This mutual need makes each the supply of the other. If man power is short and job opportunities many, then wages and salaries will be high. But if man power is plenty and job opportunities short, then wages and salaries will be low.

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Hence, the law of demand and supply keeps an equilibrium between wages and profits if there are no artificial checks. Everyone decides on his own what pay he deserves for the task he undertakes to do. He will not work for less and the employer will not hire him for more. Every employer has to pay to the employee what he deserves for the work assigned to him.

Thus, if this natural law of demand and supply is observed then the needs of the society are fulfilled easily and a natural balance is maintained between profits and wages, and prices remain checked. Without this a prosperous society cannot be conceived.

The noble Qur'an refers to this natural working.

نَحْنُ قَسَمْنَا بَيْنَهُمْ مَعِيشَتَهُمْ فِي الْحَيَاةِ الدُّنْيَا  
وَرَفَعْنَا بَعْضَهُمْ فَوْقَ بَعْضٍ دَرَجَاتٍ لِيَتَّخِذَ  
بَعْضُهُمْ بَعْضًا سَخِرِيًّا

{We have allocated among them their livelihood in the worldly life, and have raised some of them over others in ranks, so that some of them may put some others to work.} (43:32)

This verse makes it very clear that Allah has not entrusted livelihood of the people to the state and bureaucracy (like socialism), nor to a selected people. Rather, He has created a working whereby each individual is responsible to provide to another what he deserves in order to get his need fulfilled from him. Allah has also inspired everyone with the work most suited to him and which he can execute in a very good manner. Thus, every person is engrossed in his work however humble it be and he takes pride in perfecting it.

Islam uses this very law of demand and supply to grow and to disburse wealth. Generally, it has not entrusted this task to any human being so that the law of demand and supply may continue to work and trade and industry and the economy may follow, their natural course in a free manner to build a prosperous society.

This shows that a balance can be maintained in the employer's profit, employee's wages and prices of commodities, and the society may be kept prosperous by allowing the law of demand and supply to work in its natural form. The obstacles that disturb it must be kept away.

Therefore, Islam disallows concentration of wealth which is chiefly responsible for disturbing the working of the law of demand and supply. Secondly it encourages the natural forces that keep in check every avenue that takes away the freedom of the people in this regard. We present some examples.

## (1) HOARDING DISALLOWED

Allah's Messenger ﷺ said:

مَنْ احْتَكَرَ فَهُوَ خَاطِئٌ

"He who hoards (goods) is a sinner." [31]

He also said:

مَنْ احْتَكَرَ عَلَى الْمُسْلِمِينَ طَعَامًا ضَرَبَهُ اللَّهُ بِالْجَذَامِ وَالْأَفْلَاسِ

"If anyone hoards foodstuff putting the Muslims to hardship, then Allah will cause him to suffer leprosy and poverty." [32]

This punishment is commensurate with the crime he commits of withholding the provision of the Muslims and causing them thereby hardship. (But, Allah may put off the punishment because of the man's piety or give him

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respite till the next world to punish him very severely.) Any punishment awarded to him by the Islamic State is apart from that. [33]

## (2) BROKERAGE ONLY UNDER CONDITIONS

Allah's Messenger ﷺ said:

لا يبيع حاضر لباد، دعوا الناس يرزق الله بعضهم من بعض

“Let not a man from the city sell for a villager (as his agent). Let people alone. Allah will provide them from each other.” [34]

The *hadith* itself explains why this thing (agency) is disallowed. Allah causes the buyer to get his sustenance from the trader and the trader from his client. No middle man is allowed to interfere in this working, even if he is the trader's brother or father [35]. If anyone brings a commodity from another place to a city then he will sell it quickly and get over with it. He will take a reasonable profit and sell it cheap, but if the agent interferes, then he will delay the deal to get a high price, thus hindering the city dweller's supply and make the commodity dear. So a majority of the scholars and all four imams agree that the business of the kind of an agent that causes prices to rise is disallowed.

## (3) FAKING DEMAND IS DISALLOWED

Allah's Messenger ﷺ said:

لا تَنَاجَشُوا

“Do not practice (najash نجش) [36].”

The words تَنَاجَشُ and نَجَشُ refer to the practice of a third person interfering in a transaction being finalized between buyer and seller, though the interferer really has no intention to buy yet provokes the buyer into buying at a higher price by offering more than what the buyer had intended to pay. This is what some auctioneers do by planting fake buyers who make false bids to deceive other bidders into raising their bids. This action is unlawful in the eyes of all scholars and is a kind of withholding supply by making it costlier.

## (4) DISALLOWED TO OUTBID

Allah's Messenger ﷺ said:

لَا يَسُمُّ الْمُسْلِمُ عَلَى سَوْمِ أَخِيهِ

“No Muslim must outbid another Muslim.” [37]

When two people are finalizing a transaction of buying and selling, or of renting some place, or of employment, and have agreed on the amount of price, rent or salary but have not concluded the deal, a third person must not offer more and finalise the transaction. By consensus this interference is also disallowed. It creates bad blood between both buyers and it hinders supply to the first buyer.

## (5) DO NOT GO OUT TO INTERCEPT INCOMING MERCHANDISE

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Sayyiduna Abdullah ibn Umar narrated:

ان رسول الله صلى الله عليه وسلم نهى ان تتلقى  
السلع حتى تبلغ الاسواق

Allah's Messenger ﷺ forbade that merchandise that is being brought (to the city) should be bought before they have come to the markets. [38]

The main purpose in disallowing purchase of commodities before they reach the market is to thwart creation of monopolies. If they had been sold in the market, all traders would have had an opportunity to buy and then offer for sale at competitive prices.

## (6) FORWARD SALE OF WHAT HAS BEEN BOUGHT IS DISALLOWED

It is very common these days to sell something before acquiring possession of it. It is a form of speculation. A man negotiates purchase of something but before he gets hold of it, he sells it to another who again sells it and so on scores of sales are concluded. When the actual buyer gets it, the price is exorbitant. Profit goes to the myriad speculators and the ultimate buyer has to foot the bill.

Islam has forbidden this seemingly innocent plunder by prescribing that a buyer must not resell his purchase before actually getting it in his hands.

The Prophet ﷺ said:

مَنْ ابْتَاَعَ طَعَامًا فَلَا يَبْعُهُ حَتَّى يَسْتَوْفِيَهُ

“He who buys some foodstuff must not resell it before getting possession of it.” [39]

This sahih (sound) *hadith* is narrated by Sayyiduna Abdullah ibn Abbas (*Radhiallahu 'anhu*) . Sayyiduna Zayd ibn Thabit (*Radhiallahu 'anhu*) has narrated another *hadith*:

فَإِنْ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ تَبَايَعَ السَّلْعَ  
حَيْثُ تَبَايَعَ حَتَّى يَحْوزَهَا التَّجَارُ إِلَى رِحَالِهِمْ

Allah's Messenger ﷺ disallowed that trade merchandise should be sold where it is bought, not until it has been moved by the traders to their respective places (may they sell it). [40]

There are many other *ahadith* on this subject, reliable and with a sound line of transmission. Moreover, there is a consensus of the *ummah* on this rule of *Shari'ah*. However, the jurists differ on the details and application of this rule. [41]

These few examples should suffice to stress that Islam has seen that the law of demand and supply works unhindered. It has prescribed that even minor obstacles and unreal inflation should be plugged, even governmental control of prices is discouraged by Islam. When the Prophet ﷺ was requested to fix prices of the things sold in the market, he said:

إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ الْقَابِضُ الْبَاسِطُ الرَّازِقُ

“Surely, Allah is the One Who fixes prices, Who withholds, Who bestows (abundantly), Who provides sustenance.” [42]

This means that Allah has formed the natural laws of demand and supply. Prices are regulated through their working without man's interference. Hence, it is not desirable to fix prices in a contrived way.

Capitalism is a free economy in name only. Actually, the capitalists alone enjoy freedom. The laws of a capitalist economy are not unchained to operate naturally. They are controlled by the capitalists. The poor people are deprived completely. However, the economic setup in Islam have a free economy, trade and market (except for a few religious, moral or social restrictions). The only checks on the rich are that they should not engage in profiteering to the extent of putting their capital in use against the overall good of the people and the country and against their religion and morals. They must not check free trade and means of livelihood and must not manipulate the natural working of the law of demand and supply to cause hardship to people. The objective is to disburse national wealth among all people rather than let it concentrate in a few hands. Means of livelihood must be plenty and available to all and sundry. Every person must be able to find an opportunity to earn the lawful according to his aptitude, efforts and capital.

This will give rise to a balanced stable economy and a prosperous society. A poor person is not dependent on any other except Allah to feed his children and get them their needs.

## (6) RISK FACTOR IS ESSENTIAL IN TRADE

The sixth characteristic of the Islamic economy is a general rule that is given to us by the Prophet's ﷺ *ahadith*.

The universal rule is that a person is entitled to earn profit on something only when he is also liable to suffer loss on that. It is not permitted to anyone to keep profit on something belonging to him, but (if he loses that thing) to pass on the loss to someone else. In other words, a man who derives profit from something is also liable to take the risk of suffering a loss from it and is responsible for it and he cannot transfer the loss to someone else.

This is a wise principle based on justice. In the parlance of *Shari'ah* it is called الخراج بالضمان (*al-kharaj bi ad-damaan*) as also الغنم بالغرم (*al-ghunm bi al-ghurm*). This has an effect on many issues of trading and economy. It shuts a trap door to making necessities of life costlier, as we shall see later. Capitalism does not subscribe to this principle and like many other issues, it seems to be on an opposite track to Islamic teachings even on this issue and, according to its general working, adds to the economic difficulties of the poor people.

### AHADITH FORBIDDING TRADE WITHOUT RISK

The Prophet ﷺ said:

الْخَرَجُ بِالضَّمَانِ

“Profit is deserved only if there is risk of loss.” [43] (Loss is offset by profit derived.)

Allah's Messenger ﷺ also said:

لَهُ غُنْمُهُ وَعَلَيْهِ غُرْمُهُ

“He for whom is a profit, also has loss (if any) of him.” [44]

The Prophet ﷺ disallowed some forms of buying and selling, also saying:

وَلَا رِبْحُ مَالٍ يَضْمَنُ

“It is not permitted to earn profit on such property of which one is not responsible (for loss).” [45]

Moreover, this belies common sense that a man should claim profit himself but make others bear the loss. It is not decent and not just. The *ummah* is agreed on this universal rule of *Shari'ah* though the honourable jurists disagree on some details of its working.

### DIFFERENCE BETWEEN OWNERSHIP & RESPONSIBILITY

There are two things about a property. (i) It belongs to someone. (ii) It is in someone's care as a responsibility (or a risk). This latter means that if that property is destroyed or lost then it will be borne by the person whose responsibility (or risk) it was and no one else will be responsible.

Every property is in someone's ownership and risk which is responsibility for its loss. Sometimes it is the person's

ownership as well as risk. He is the owner and responsible. He has rights of ownership over it and can use it as his discretion and no one else can utilize it without his permission, and so on.

As one responsible, he will bear the loss of the property destroyed or lost and on no one else is responsible.

It may happen also that a man is an owner but not the responsible person over it. Someone else is responsible. As an owner, he enjoys the benefit mentioned earlier. Since he is not responsible, if the property is destroyed, he will not bear the loss but he whose responsibility it was will endure the loss.

## WHEN DOES ANYTHING COME UNDER RESPONSIBILITY?

The ruling of *Shari'ah* is that when something is sold and the sale contract is concluded for it, the ownership transfers at that moment promptly to the buyer from the seller. But its responsibility does not transfer from the seller till the property is given in the possession of the buyer or of his representative. Responsibility does not change hands only by concluding the sale contract. As long as possession is not transferred, responsibility continues to remain in the hands of the seller. The moment the buyer gets it in his hands, it becomes his responsibility.

For example, if you buy a car, the moment the sale contract is concluded, you become its owner. However, until you receive its possession or your nominee receives it, the car does not fall under your responsibility. It will continue to be the seller's responsibility. If it is destroyed or snatched, you will suffer no loss because it had not come under your responsibility. The seller will bear responsibility because it was in his hands. As a result the transaction will be void automatically and you will not be liable to pay its price.

If the car was damaged or lost after you received its possession, then you will bear the loss.

## MORE ABOUT THIS CHARACTERISTIC

Now, I will mention some more details of the characteristic named in the caption above: "The property that is not under your responsibility does not entitle you to earn profit on it."

Under the caption of the fifth characteristic of the Islamic economy against the sixth point the issue is that anything bought may not be re-sold before taking possession of it because it is disallowed. One of the main reasons of it is this rule that is mentioned here. If you resell what you have bought but have not acquired its possession then a profit on its sale will be of something that is not under your responsibility and you face no risk for it. If anything is not under your responsibility then it is disallowed to receive its profit.

Through this wise principle *Shari'ah* has barred the possibility of inflation and high prices. We have spoken at length on this earlier.

Further, this rule is not limited to merely buying and selling. In fact, whatever owned property or thing on which *Shari'ah* permits earning profit, is with this limitation that any loss or burden will be the responsibility of this person (who hopes for the profit).

For instance, partnership (*musharikah*) is allowed on condition that every partner shares both profit and loss. If a partner shares only the profits but not loss, then this partnership is not lawful.

Similarly, if under *mudabarah*, the *rabbul-maal* shares only the profit and not the loss, then this *mudarabah* is void. [\[46\]](#)

Again, if anything is taken as an *amanah* (trust) and there is a profit on it then it is not allowed to use the profit because it is not under his responsibility. But, if he has the owner's permission and uses it himself, then he will also be responsible for loss.

In the same way, one reason why interest is forbidden is that profit (interest) is taken on the (property or) wealth

given as loan, but it is not under the responsibility of the creditor. It means that if that loan is lost or destroyed with the debtor then the creditor will not be responsible.

## (7) GHARAR (DOUBTFUL & UNCERTAIN TRANSACTIONS) ARE DISALLOWED

The seventh basic characteristic of the Islamic economy that distinguishes it from other economic systems is that it has declared as unlawful every transaction and dealing (agreement or contract) that is based on غرر (*gharar*).

It is an Arabic word. Literally it means “to deceive”. In the terminology of *Shari’ah*, on a perusal of *fiqh*, it can be one of two aspects:

### FIRST KIND

(1) There is some such doubt in an agreement or contract as leads to a disagreement between both parties (or one of them is compelled to bear loss in order to prevent the conflict). Such a doubt is termed in *fiqh* as جهالت (*jahalalah*, ignorance). This kind of doubt or *jahalalah* may arise in a sale agreement or in employment or lease agreement and is *gharar*, and disallowed.

This doubt or *jahalalah* may be of three kinds:

- 1) That which is bought (*mabi*) may be of an unknown kind, or nature, or quantity. (Meaning: it is *majhul*- we shall see its example in this text later).
- 2) The price of that which is bought is *majhul* (unknown).
- 3) If it is a contract or transaction on debt then the time of payment is not known and defined, but is *majhul*.

### SECOND KIND

(2) There is an uncertainty and ambiguity in the contract and it cannot be said whether it would be concluded or not. Would it be cancelled?

If it is uncertain, it could also imply the unavailability of commodity agreed to be exchanged by the parties (like the item sold or the price).

In short, every such contract is disallowed in terms of Islamic teachings if there is in it a doubt (*jahalalah*) of the foregoing kind, or uncertainty till the aforementioned limit.

Many kinds of *gharar* were practiced during the *jahiliyah* in trade and mutual dealings. The Qur’an and *sunnah* have forbidden them clearly and one by one. For instance, the noble Qur’an has forbidden gambling [47] as we have mentioned copiously under the characteristic # 5. A severe kind of *gharar* is found in gambling that can lead to animosity.

Also the *ahadith* clearly forbid *bai’ al-mulamasah*, *bai’ al-munabadhah*, *bai’ al-hasah*, [48] *bai’ habl al-hablah* and *bai’ al-mabi’ qabl al-qabd*, and so on because of *gharar* inherent in them. (See books of *hadith* and *fiqh*). Then the Prophet ﷺ forbade *gharar* by way of a general rule so that it covers all kinds of dealings and transaction (Contracts) which have the elements of *gharar* in them and which were practiced from early times and which might be introduced till the Last day. The *sahih* Muslim [49] and other books of *hadith* transmit this narration of Sayyiduna Abu Hurayrah (*Radhiallahu 'anhu*) through a sound line of transmission:

تَهَى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَنْ بَيْعِ الْحَمَاةِ وَعَنْ بَيْعِ الْغَرَرِ

“Allah’s Messenger ﷺ forbade us sale (determined by) casting stones and sale that has an element of uncertainty.”

Two kinds of sale were in vogue by casting stones.

(1) The seller had different things for sale. He would tell the buyer to cast a stone and on whatever it dropped was sold to the buyer for an amount determined beforehand. During the *jahiliyah*, it was considered to be a valid sale like any other valid transaction. Buyer and seller could not revoke it though the stone might drop on something valued at rupee one or rupees one hundred, or that thing might be defective or perfect.

(2) A seller of a piece of land would ask a prospective buyer to cast a stone on it and where it dropped, the piece of land till that place was the buyer’s at a pre-agreed price.

In both these cases, the price of the thing bought was pre-determined and known there being no uncertainty about it. But that which was sold for the price to the buyer was uncertain, unknown and *majhul*. There is a great possibility of one party gaining heavily and of the other losing considerably, particularly if this kind of sale involves highly valuable property. Clearly, this could create hostilities and bad-blood. Hence, this sale too is part of *gharar* and disallowed by *Shari’ah*.

This explanation covers the first sentence of the *hadith* (about throwing stones). We find in it two examples of the first aspect of *gharar*, ‘doubt’ (*jahalah*).

In the second sentence of this *hadith*, both kinds of *gharar* are forbidden by a general rule, those that involve *jahalah* or doubt and those that are uncertain and ambiguous.

The following three kinds of contracts (transactions or dealings) are basically uncertain:

(i) Selling something that the seller is not able to hand over to the buyer at that time, like a bird that is flying, fish in water that does not belong to the seller, unborn kid of an animal.

(ii) Attaching such conditions to the contract of which one cannot know if they could be fulfilled or not. For example, if someone has lost his cell phone and he sells it on condition that it is found at, say Rs1000. Or, a man says, “I have sold to you (this) my car on condition that it rains tomorrow at rupees one hundred thousand.” Clearly, this is not merely a promise but also a contract (to sell). If it was only a promise then the seller would have said, “If it rains tomorrow, I shall sell this car to you for rupees one hundred thousand.” There is nothing wrong in it. It is allowed to make such a promise and this is not *gharar*. But, the earlier example is not a promise. It does not say, “I will sell.” Rather, it emphasizes, “I have sold,” and this is a contract to sell, and it implies, ‘If it rains tomorrow there is no need to make a new contract and the contract concluded today will be valid and effective. If it does not rain tomorrow, this contract will become void by itself.’ We have stated earlier that this kind of a condition in a contract amounts to *gharar* and it is not allowed because it may not rain.

(iii) Selling something in the future. He does not sell promptly but contracts today to sell it in future. For instance, he says in December to another, “I have sold this my car to you for one hundred thousand rupees on 1<sup>st</sup> February.” The other person agrees to this offer, but this transaction is not lawful because it pertains to future and has an element of *gharar* which makes it unlawful. *Gharar* makes the deal uncertain and ambiguous. The car may remain intact or not till 1<sup>st</sup> February or it may not be possible to deliver it to the buyer.

Many forms of *gharar* were practiced during the *jahiliyah*. All forms of gambling and speculation are disallowed also because *gharar* is found in them. The current period is dominated by capitalism. Many forms of *gharar* are introduced in these times and it is not easy to enumerate them. I give a few examples of *gharar*. They are all disallowed.

## FEW EXAMPLES OF GHARAR IN OUR TIMES

### 1. SHORT SALE

The seller sells something that he does not possess but hopes to buy it from the market and deliver it to the buyer after concluding the sale contract.

This kind of sale is practiced much now-a-days. It is done in selling commodities, everyday articles and even shares. It is unlawful because there is *gharar* in it, meaning uncertainty and ambiguity, for the seller may not be able to procure what he has sold.

### 2. SALE BEFORE POSSESSING

It is similar to the previous and is termed in *fiqh* **بيع قبل القبض** (selling before obtaining possession). The seller has gained ownership of the item but has not obtained possession of it. There is *gharar* in it too and it is disallowed, for, the seller might not get possession of the thing sold and this contract may not remain valid. For example, A buys from B a car and concludes the contract, so ownership of the car transfers to B, but A has not delivered it to him or

to his nominee. Meanwhile, B sells it to C though he does not have it with him. This is **بيع المبيع قبل القبض** and it is a unlawful transaction because it is an uncertain undertaking classified as *gharar*.

It is very possible that the car may lose its roadworthiness with A in which case the sale contract between him and B would become void and because of that the contract between B and C would automatically be revoked.

I have spoken at length about **بيع قبل القبض** (selling before acquiring possession) and the wisdom behind disallowing it against point(b) of the 5<sup>th</sup> characteristic of the Islamic economy. There, I have presented the *ahadith* of Allah's Messenger ﷺ from authentic sources.

Again, the prohibition of this kind of sale is mentioned in the 6th characteristic, too. There are more of its evils has been mentioned in detail pointing out that this sale becomes a means of **ربح مالم يضمن** (earning profit without assuming a responsibility for loss). This is clearly unjust. One cannot pocket profits but make another suffer the loss. We have presented there *ahadith* of Allah's Messenger ﷺ disallowing this unjust conduct. Do read them again.

In short, there are two major evils in this kind of sale in the eyes of *Shari'ah*.

(i) To earn profit on something of which the seller takes no risk.

(ii) There is an element of *gharar* in it, as stated earlier.

If we ponder, the same two evils are found in short sale with more severity because one earns profit in this sale without bearing responsibility for it. And, *gharar* is more evident in it as stated previously.

Both these kinds are transacted through speculation and this is more marked now-a-days. The reason is that the speculators are not interested as much in acquiring the commodity as in the rise and fall of prices. They make several transactions of something, one after the other, before finally settling the difference with each other – paying or receiving. The thing bought is merely in name but its price is the real factor and accounts are squared on its basis. The entire exercise is not trading but speculation and gambling. Sometimes it leads to crises in trade and businesses.

Therefore, Allah's Messenger ﷺ also forbade these two things through this command:

لَا تَبِعْ مَا لَيْسَ جُنْدَكَ



“Do not sell that which is not with you.” [50]

Two great *sahabah* of the Prophet ﷺ narrated this *hadith*: Sayyiduna Haakim ibn Hizam (*Radhiallahu 'anhu*) and Sayyiduna Abdullah ibn Amr (*Radhiallahu 'anhu*)

However, two kinds of transactions are exempted from this prohibition. They are: *bai salam* and *bai istisna*. Of course, in both these forms, sale is contracted of something that is not owned and also not possessed (at that time) commodities and things. But, *Shari'ah* permits it. The details may be studied in books of *hadith* and *fiqh*. In short, the reason they are allowed is that the sale contract of both these things is bound with such conditions and pre-requisites as permit no possibility of *gharar* as may create hostility between the two parties and make economic activities uncertain. These contracts are allowed by *Shari'ah* only after placing those conditions and limitations. This is not the place to expound on that. So refer to books of *fiqh*.

### 3. SALE OF DEBTS (& LOANS)

Among the transactions involving *gharar* is the sale of debts. It is practiced much these days. For instance, 'A' has some receivables from some people. He sells them to 'B' who buys them in the hope that he would receive them from the debtors. But this is uncertain, for, all of them or some of them might default or may be unable to repay. In such a case, 'B' will lose his money that he paid to 'A'. therefore, being uncertain from the recovery point of view, the sale of Debts is *gharar* and disallowed.

There is another major reason why this contract is disallowed. It is that the buyer of someone's debts buys them at a discount. What he buys is more than what he pays. It is like buying rupees twenty million for nineteen million. Clearly, this is *riba* or interest, whose disallowance we have explained in this book in detail and very often.

### THE CURRENT ECONOMIC CRISIS [51] (GLOBAL RECESSION)

For about two years now the world's economy is going through a financial crisis. Many prominent international banks have failed and large, internationally known companies that had been earning fat profits have flopped suddenly. Those that survive find their shares tumble in the stock market and their share-holders have parted with much of their investment.

This crisis originated in the United States but the whole world suffers its devastating effects. Every country is in the grip of trade and financial difficulties. The main reason of this downfall is the rampant practice of sale of Debts. Many people had bought homes on instalments and loans. The financial institutions from whom they had borrowed were tempted to make a last buck so they sold the debts to other financial institutions at lower rates. Actually, they had discounted from the interest, not the principle amount. Then they used the principle amount to give more loans on interest and again sold the debts. This process went on. The institutions that bought the debts were attracted by the discounted amount, and the interest money. Then they too decided to make a fast buck and sold the debts to third financial institutions at a higher discount. The loans went through sale after sale. The risk of default was passed on from one to another so that ultimately proper documents were made of the loans and they were sold internationally on the large scale. Suddenly, values of properties dropped considerably and purchasers of houses who had taken loans and the entire story had begun from them defaulted on payments of their instalments the financial institutions confiscated their houses in retaliation, but the values had dropped and if they sold those houses the sale proceeds did not pay for their loans. This caused a serious panic so these institutions stopped giving further renewals of loans. This resulted in heavy losses to the financial institutions. The prices of share came down and those who had invested millions of dollars in speculation faced a severe financial crisis.

This is what caused the international financial crisis. It is believed that this crisis has wiped out about forty-five percent of the world's wealth.

What I have written here is a very brief account of one aspect of the international financial crisis. Its didactic story may be read in the literature published in different languages of the world particularly the article of my dear brother, Mawlana Mufti Muhammad Taqi Usmani, which is worth reading on this very subject, and which he presented in

the World Economic Forum of Switzerland in its annual meeting (in January, 2009). It is considered today to be the largest and stately and august gathering of the world. Its annual subject then was this current 'International Financial Crisis.' [52] His article is in English and its Urdu translation is being published. Indeed, praise belongs to Allah- and may Allah reward him with the best of rewards.

## SYNOPSIS OF THIS CHAPTER

We present here the synopsis of the characteristics of the Islamic economy as detailed in the preceding pages.

1. Islam does not regard the economic activities as separate from the religion. They are an important part of religion. Every such economic action as is performed with good intention and within the limits of *Shari'ah*, attains the rank of worship. Islam regards economic prosperity as approved and in its eyes lawful earning is obligatory.

2. However, Islam does not regard the question of livelihood as the basic issue, and the objective of one's life. Also, economic progress is not in its eyes the goal of man's ambitions. The true objective is worship of Allah the Exalted and obedience to Him and perfect success in the hereafter. Since this cannot be achieved without passing through the life of the world, so all those activities too become unavoidable as are necessary for a peaceful life of this world.

3. All sane, adult human beings are answerable to Allah, the Exalted, (whoever they are:) rich and poor, rulers and ruled, labourers and employers. They have to submit to reckoning on the day of requital in the hereafter for their deeds: good and bad, major and minor, how they earned and where they spent? Each of them will earn reward or face punishment commensurate to their deeds.

4. In the Islamic system of economy, no government feudal lord or capitalist has control over the means of livelihood. Everyone has an equal opportunity to receive his reasonable share of it according to his aptitude, effort and capital.

5. The teaching of Islamic economy have shut all gates to concentration of wealth so that wealth does not accumulate with a few families or specific sections of the society but circulates widely among the people and the disparity between the rich and the poor should be brought down to the workable limits.

6. The free, unrestricted working of the law of demand and supply is assured to prevent manoeuvred shortages and manipulated price hikes.

One point brought out from the previous discussion on curbing concentration of wealth and promoting the Law of demand and supply is about salaries. The teachings of the Islamic economy emphasise more on the wise principle of making necessities and other commodities easily available to the people at low prices than on raising salaries and wages. Prices should be within reach of the common man. As for salaries and wages everyone decides for himself according to the Law of demand and supply and market price of the commodities. Depending on opportunities of jobs and choice to select, he decides without restrictions. He calculates the remuneration he is entitled to get in keeping with the cost of living. And, he decides what he should do if he gets a lower offer than he deserves, and if he asks for more than he will be replaced. Everyone is compelled to pay to another what he deserves or needs. The result will be that when prices decline to a reasonable level, remuneration will come down to a fair level, cost of production will slide down and a balanced stable economy will emerge.

7. We have observed throughout this discussion and particularly under the sixth characteristic that contrary to capitalism, the Islamic teachings never prefers one strata of society at the disadvantage of another class. They abstain totally from doing anything of the sort. They have been very careful to observe justice and impartiality between the human beings.

8. Islam has forbidden *gharar* (uncertain or ambiguous) dealings and contracts. Thereby, it has blocked possibilities of financial crisis and has protected free economy. At the same time, it has checked possibilities of trade disputes and mutual hostilities.

Now-a-days disputes and court proceedings have disturbed peace of the society and crippled social activities. It is very difficult to get justice quickly. The number of courts are too few to cater to the cases presented to them and

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litigants have to endure, not for days, but for years, so, many have preferred to bear the oppression patiently rather than suffer the wait and cost of litigation.

If these characteristics of the Islamic economy are examined without prejudice, it will be observed that they are worthy and such as other economic systems lack.

If the world has to regain economic stability, a free market and a just and peaceful life then it may be had only from Islam and its merciful teachings.

مُردکی ہو کہ فرنگی بوسِ خام میں ہے  
امنِ عالم تو فقط دامنِ اسلام میں ہے

## CHAPTER TWO

# ISLAMIC PRINCIPLES OF INDUSTRIAL RELATIONS

In the economic field an important aspect is the relationship between the employer and the employed. Since these are times of industries, so these relations are termed 'industrial relations' though the relationship includes the fields of industry, craft, trade and farming, or even any other field of life.

Be that as it may, these relationships have a deep influence on the economy and society of any country. If they are pleasant, warm, enduring and productive then they are an assurance of that country's economic prosperity and peaceful social progress.

If we observe deeply, it will dawn on us that the basic characteristics of the Islamic economy discussed in the previous pages are also as essential for a healthy relationship between the employer and the employed, such as merely raising remuneration cannot assure. If economic activities are not respected, employees and employers have no fear of Allah and of reckoning, means of livelihood are controlled by the mighty who also seize avenues of wealth and manipulate the Law of supply and demand then, as is commonly observed now-a-days, justice will be denied to the people and the disparity between rich and poor will not be done away with, honest employees will be scarce and reasonable remuneration will be denied. If the parallel of inflation rises along with it then raise in salaries and wages would be a meaningless joke. The result of it is before us: the employer and the employed are entangled in a never ending battle giving birth to a plethora of economic and social difficulties.

This problem is intensified because a large section of the society is connected with the wide circle of employer and employed. He is either an employer or an employed. There are very few people who need no servant or labourer to earn their living, nor are they anyone's workers. Hence, along with the directives for a prosperous economy, Islam has offered valuable guidance for cordial relationships between the employer and the employed. In the books of *hadith* and *fiqh*, there is a chapter on *Ijarah*. It is about the commands, as also manners prescribed by *Shari'ah* and the principles derived from them, on leasing, labour and employment.

We shall mention in the next lines the basic principles outlined by the Qur'an and *sunnah* and Islamic *fiqh*. Without these the evils that have cropped up in the industrial relations all over cannot be eliminated.

### (1) RESPECT FOR WORK & LABOUR AND EMINENCE OF PROFESSIONS

In reference to industrial relations, the first principle in the light of the Qur'an and *sunnah* is the esteem and promotion of labour and industry is of prime importance in labour and management relationship. The teachings of Islam have emphasized it as no other religion has.

The Arabs took up different industries and never regarded any work or craft as base and humble. No one was regarded as of a lower class because of his profession and work and never was there a grouping because of professions. [53] In spite of that our society is beset with the evil of degrading the labourer and labour, and regarding many lawful professions with disdain. In fact, this is an arrogant and a foolish outlook and these smacks of the customs of the Hindus. They had a class system and regarded cobblers and sweepers as outcast, persona nongrata and their words for these professions were used on others as abusive words. The Muslims who lived in

India caught this habit from them. انا لله وانا اليه راجعون (To Allah we belong and to Him is our return.) [54]

Islam does not recognize any profession as less respectable or more than another. Rather, taqwa or righteousness is the basis of respect. The more one abstains from disobedience to Allah and His Messenger ﷺ, the more honourable one is in Allah's sight, even if he is a cobbler or a sweeper. Every profession, industry and craft that is adopted to earn a lawful living is worthy of respect and reward. Further, if it is done with the intention to serve the creatures,

the reward increases.

## SCIENCES & INDUSTRY TO HELP MANKIND ARE SUNNAH OF PROPHET ﷺ

The fact that every science, industry and craft that gets man his need is important in Allah's sight may be gauged from the lives of the noble Prophets (*'alayhi as-salām*) whom Allah taught by *wahy* (revelation) the basic industries of all needs. Then, gradually, these developed over the years as need arose and time demanded. Some of them are:

### (1) WHEEL & CART

The first *wahy* that came to Sayyiduna Aadam (*'alayhi as-salām*) concerned mostly the rehabilitation of the land and establishment of different industries. The invention of the wheel carts for loading and hauling things is part of the chain of inventions. This brought about a revolutionary development by turning a straight movement into a circular movement.

The founder of the Aligarh College said truly that all sorts of vehicles have been invented but a vehicle's pivot continues to be its axle and the wheel, a common factor in bullock-carts, donkey- carts trains and cars of the best kind. Hence, the greatest inventor of moving vehicles is he who invented the wheel- the life and soul of machines. This invention unfolded itself at the hands of the first Prophet, Sayyiduna Aadam (*'alayhi as-salām*) , through a Divine revelation. [55]

### (2) ARK OF NUH ( 'ALAYHI AS-SALĀM)

Sayyiduna Nuh (*'alayhi as-salām*) did not know what a ship was and how it could be manufactured. But, Allah commanded him to make it to save himself and those whom Allah had to save from the deluge. Allah said to him:

وَاصْنَعِ الْفُلْكَ بِأَعْيُنِنَا وَوَحْيِنَا

{And make an ark under Our eyes and according to Our revelation...} (11:37)

According to a *hadith*, Jibril (*'alayhi as-salām*) taught Prophet Nuh (*'alayhi as-salām*) how to make the ark. He made it with a kind of wood that is durable, of the soul tree (shorea robusta).

Some traditions give its measurements as 300 yards in length, 50 yards in breadth, 30 yards in height and three storeyed. The ventilators opened in the customary manner right and left side. Thus shipbuilding owes its origin to Prophet Nuh (*'alayhi as-salām*) who learnt through Divine revelation. Then the art was developed gradually.

### (3) ARMOUR MAKING BY DAWUD ( 'ALAYHI AS-SALĀM)

Sayyiduna Dawud (*'alayhi as-salām*) was granted prophethood and messengership as also a mighty kingdom. This has been described in the Qur'an in *surah al-Anbiya*, *Saba* and *Saad*.

The industry of armour made of iron owes its origin to Prophet Dawud (*'alayhi as-salām*) . It used to defend oneself from spears, arrows, swords and other weapons. (Even today iron jackets are used to defend oneself from gunfire etc). Allah taught him by revelation. The Qur'an says:

وَعَلَّمْنَاهُ صَنْعَةَ لَبُوسٍ لَّكُمْ لِيُحْصِيَكُمْ مِنْ بَاسِكِكُمْ  
فَهَلْ أَنْتُمْ شَاكِرُونَ ○

{And we taught him making of the armour as dress for you to protect you from what may harm you (in combat). So are you grateful?} (21:80)

The believers and other need this invention. So Allah describes it as His favour for which we must show thanks to Him. It follows that the learning and teaching of any skill that serves the need of people is an act of virtue and fetches reward if the intention is sincere.

Allah's Messenger ﷺ said that an industrialist producing his product with the intention of serving people is like the mother of Prophet Musa ('alayhi as-salām) who fed her own child yet got paid for her services from Fir'awn. Similarly, an industrialist whose intention is to serve Allah's creatures will get reward for it (as well as for lawful earning) and by marketing his industrial products. [56]

The same industry of armour is also mentioned in *surah Saba*:

وَالثَّالِثُ الْحَدِيدُ ○ اَنْ اَعْمَلَ سَبْعَ وَقَدَّرَ  
فِي السَّرْدِ وَاَعْمَلُوا صَالِحًا

{And We made the iron soft for him (saying to him,) "Make coats of armour and maintain balance in combining (their) rings...} (34:10-11)

The exegetes say that Allah made iron soft like wax in the hands of Sayyiduna Dawud ('alayhi as-salām) to make armour. He did not need fire, hammer or any other kind of tool. He is instructed to ensure that its links came out balanced and proportionate so that there was not any too small or too big and hence it remained strong and looked good in appearance.

This also tells us that the consideration for apparent beauty in man-made things is desirable in Allah's sight. [57]

## MAKING ARMOURS WAS SOURCE OF PROPHET DAWUD'S ('ALAYHI AS-SALĀM) LIVELIHOOD A DIDACTIC EVENT

It is mentioned in *Tafsir Ibn Kathir* that even as king, Prophet Dawud ('alayhi as-salām) went out to markets and other places in disguise. He would enquire from people arriving from neighboring places, "What kind of a man is Dawud?" He intended to redress grievances, if any. His Kingdom was known for justice and fair treatment of his subjects and people were happy and comfortable. No one had any complaint against the government, so everyone praised Dawud ('alayhi as-salām) and was grateful for his justice and kindness.

Allah sent to him an angel in the form of a man to teach him. When Prophet Dawud ('alayhi as-salām) came out for that work, the angel met him and he put the same question to him as was his wont. The angel replied, "Dawud is the best of all men and he is the best for his *ummah* and subjects. But, if he did not have a habit, he would have been perfect," Prophet Dawud ('alayhi as-salām) asked, "What is that habit?" The angel said, "He eats and feeds his family from the wealth of the Muslims, meaning from State Treasury."

On hearing this, Prophet Dawud ('alayhi as-salām) repented to Allah and beseeched him imploringly, weeping profusely, and praying, "O Allah teach me something that I may work myself to earn a livelihood for myself and for my family, and serve the Muslims and look after the kingdom without any remuneration."

Allah granted him his prayer. He was taught how to make armour. Allah honoured him because of his Prophethood, that iron turned soft like wax in his hand so that he could complete his work in very little time and very easily and earn a living. Then, he could devote the rest of his time to worship and affairs of the State.

**Ruling:** For a Muslim head of an Islamic state of the time, or a king or ruler who spends all his hours in attending to State affairs, it is permissible in the Islamic *Shari'ah* that he draw his average living expenses for himself and his family from the State Treasury. However, if there is some other means of livelihood available to him, then that would be more desirable provided his attention is not diverted from State affairs. Sayyiduna Dawud ('alayhi as-

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*salām*) had opted for this more desirable course of action and was content with that much.

The *ulama* who serve the religious cause of propagation and preaching and draw no remuneration for that, and the *qadi* and *mufti* who devote their time in public service, are also governed by the same ruling. They may draw their living expenses from the State Treasury. However, if they find another option to make a living without disturbing their religious obligations than that is more desirable. [58]

#### (4) ART OF HANDWRITING FROM AADAM (‘ALAYHI AS-SALĀM) & IDRIS (‘ALAYHI AS-SALĀM)

Sayyiduna Ibn Abbas (*Radhiallahu 'anhu*) narrated that after Sayyiduna Aadam (‘*alayhi as-salām*) , Prophet Idris (‘*alayhi as-salām*) was the first to write down (something). And, the inventor of Arabic script (hand writing) was Prophet Isma’il (‘*alayhi as-salām*) . [59]

According to another tradition: “Sayyiduna Idris (‘*alayhi as-salām*) was the first person to use the pen.” [60]

#### (5) ASTRONOMY & MATHEMATICS INTRODUCED BY IDRIS (‘ALAYHI AS-SALĀM)

Sayyiduna Idris (‘*alayhi as-salām*) was the first person to introduce the study of the heavens and stars. Allah had taught him astronomy, the conjunction of the stars and their separation points and the pull of gravity among them. He also taught him numerology. [61]

It is stated in *Tarikh ul-Hukama* that every science and knowledge current in the world before the deluge (flood of Nuh (‘*alayhi as-salām*) ) was taught by Prophet Idris (‘*alayhi as-salām*) . He was the first person to teach medicine. He was also the first one to teach the relative odes about earthly and heavenly things to express proper opinion. [62]

He lived between the time of Sayyiduna Aadam (‘*alayhi as-salām*) and Sayyiduna Nuh (‘*alayhi as-salām*) , He was an ancestor of Sayyiduna Nuh (‘*alayhi as-salām*) . [63]

#### (6) LEARNING MANUFACTURE IN THE PROPHET’S ﷺ TIME

In the time of the Prophet ﷺ , too, efforts were made to learn techniques of manufacture. For instance, the two well-known *sahabi* Sayyiduna Urwah ibn Mas'ud and Sayyiduna Ghaylan ibn Salamah (*Radhiallahu 'anhu*) learnt the technique of making (and using) war weapons like the *dabbabah* (testudo), *minjanuq* (catapult) and *duboor* (a kind of testudo) at Jurash. The battle of Hunayn was fought at this time, so they were not present in the battle of Hunayn and the siege of Ta'if. [64]

*Dabbabah* is an ancient vehicle used in battle like the tank of today. Indeed, today's tank is called *dabbabah* in Arabic. *Minjanuq* was used for what today's gun is used. *Duboor* was a wooden contraption screened with leather to shelter besieging forces who attacked the enemy fort. It was similar in use to the *dabbabah*. [65]

#### PLANTING TREES & TILLING OF LAND ARE SUNNAH OF PROPHETS ﷺ عَلَيْهِمُ السَّلَام

(1) There is great reward in planting trees and cultivating land. Allah's Messenger ﷺ said:

ما من مسلم يغرس غرساً إلا كان ما أكل  
منه له صدقة، وما سرق منه له صدقة،  
وما أكل السبع فهو له صدقة، وما أكل الطير  
فهو له صدقة، ولا يزرؤه احد إلا كان له صدقة.



“If a Muslim plants a tree then whatever is eaten out of that is a charity from him, whatever is stolen from it is a charity for him, whatever the beasts eat of that is a charity from him, whatever the birds eat of that is a charity from him, and whatever is taken away from it is a charity from him. [66]

(2) According to another version:

لَا يَغْرِسُ مُسْلِمٌ غَرْسًا وَلَا يَزْرَعُ زَرْعًا فَيَأْكُلُ مِنْهُ  
إِنْسَانٌ وَلَا دَابَّةٌ وَلَا شَيْءٌ إِلَّا كَانَتْ لَهُ صَدَقَةٌ

“If a Muslim plants a tree or cultivates a piece of land and men, beasts or anything else, eat out of that, then it is a charity from that Muslim. [67]

(3) The Prophet ﷺ went so far as to say while exhorting people to plant trees:

إِنْ قَامَتِ السَّاعَةُ وَفِي يَدِ أَحَدِكُمْ فَسِيلَةٌ، فَإِنْ اسْتَطَاعَ  
أَنْ لَا تَقُومَ حَتَّى يَغْرِسَهَا فَلْيَغْرِسَهَا

“If the Last Hour is established while one is about to plant (a tree) and he is able to do it before the Hour is established then he must plant it.” [68]

We have its confirmation history. Sayyiduna Aadam (*‘alayhi as-salām*), Sayyiduna Ibrahim (*‘alayhi as-salām*) and Sayyiduna Lut (*‘alayhi as-salām*) had cultivated fields. [69]

Even the Prophet ﷺ planted three hundred trees with his hands to help Sayyiduna Salman Farsi (*Radhiyallahu 'anhu*) in a garden of Madinah. They were date trees. It was his blessing that before the year was out, those trees bore fruit. [70] The garden exists to this day and people visit it.

## TRADING IS A SUNNAH OF THE PROPHETS ﷺ

Islamic teachings emphasise the respect accorded to trading. The Qur'an and the *sunnah* enumerate its commands and merits with significance.

Some of them, by way of example, are:

(1) The Prophet ﷺ gave glad tidings to the honest traders (as already narrated in chapter one, characteristic #3):

التَّاجِرُ الصَّدُوقُ الْأَمِينُ مَعَ النَّبِيِّينَ وَالصِّدِّيقِينَ وَالشُّهَدَاءِ

“The truthful trustworthy trader will be with the Prophets ﷺ, the true ones and the martyrs (in the hereafter).” [71]

This *hadith* had been explained there.

(2) The Prophet ﷺ said about the dishonest traders, as stated there:

إِنَّ التَّجَارَ يُبْعَثُونَ يَوْمَ الْقِيَامَةِ فُجَّارًا،  
إِلَّا مَنْ أَتَقَى وَبَرَّ وَصَدَّقَ

“The traders would be raised on the day of resurrection with the disobedient except those who fear Allah (while engaged in business) and fulfil their oaths and speak the truth.” [72]



## FREE GLOBAL TRADE IS ALLAH'S BLESSING

(3) The *surah Al-Quraysh* of the noble Qur'an is concerned particularly with international trading. Makkah had no gardens and cultivated fields. Its people survived by raising sheep and goats and grazing them. But, their main source of livelihood was trading. Their trade caravans set out in winter and summer to Syria, Palestine, Yemen, Egypt, Iraq, Ethiopia and other places. [73]

The Quraysh were the servants and custodians of the *Ka'bah*. Hence, they were held in high esteem all over the Arabian Peninsula. Other tribes were not safe from the highwaymen and enemies while travelling but the trade caravans of the Quraysh were safe. One of the reasons for this was the lesson-bearing event of the companions of the elephant that had taken place just fifty or so days before the auspicious birth of the Prophet ﷺ. [74] The governor of Yemen, Abrahah, a Christian, set out to demolish the *Ka'bah*. When he was near Makkah, Allah caused a swarm of birds to eliminate him, his elephants and his companions. They were torn apart. The noble Qur'an has mentioned this in *Surah al-Feel* in a vivid manner.

This amazing event raised the sanctity of the *Ka'bah* in the eyes of the people of Yemen and its surrounding places. It also caused people to fear and respect the Quraysh who were the servants and overseers of the *Ka'bah*. Their trade caravans found the journeys easier and their economic prosperity depended on that.

Immediately following *surah al-Feel* in the noble Qur'an is *surah Quraysh*. Allah recalls His favours on the *Makkans*, meaning the tribe of Quraysh, and has called upon them to worship the Lord of *Bayt Allah* because of which they have earned respect and prosperity. He says:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
لَا إِلَهَ إِلَّا هُوَ ۚ فَارْجِعْ إِلَىٰ رَبِّكَ  
فَلْيَعْبُدْهُ رَبَّ هَذَا الْبَيْتِ ۚ  
الَّذِي أَطْعَمَهُمْ مِنْ  
جُوعٍ وَآمَنَهُمْ مِنْ خَوْفٍ ۚ

{With the name of Allah, the All-Merciful, the Very-Merciful. Because of the familiarity of the Quraysh, (1)that is, their familiarity with the trips of winter and summer, (2)they must worship the Lord of this House, (3)Who gave them food against hunger and gave them security against fear.(4)} (106:1-4)

Allah described as His favour the free international trading that the Quraysh of Makkah were able to undertake. He asked them to show gratitude by worshipping Him alone. This is evidence that Islam calls for free, unrestricted global trading. It should be promoted.

Capitalism boasts of free, unrestricted trading as its goal. Against socialism, capitalism is known to advocate free trade, but, in reality, there is no free trading in capitalism. We have spoken of it to some extent in Chapter One under the fifth characteristic. Capitalism places innumerable restrictions on import and export at the international level causing great difficulties to traders whose trading is not smooth at all. Licence fees, permit fees and custom duties add to the landed cost of the importers who pass on all that to the consumer. On the other hand, Islam's basic spirit is to remove all kinds of man-made restrictions on trade.

These words of Sayyiduna Abdullah ibn Abbas (*Radhiallahu 'anhu*) are worth inscribing in gold:

أَوْصِيَكُمْ بِالْجَارِ خَيْرًا، فَإِنَّهُمْ بَرُّدُ الْأَفَاقِ  
وَ أَمْنَاءُ اللَّهِ فِي الْأَرْضِ

"I instruct you to treat the traders kindly because they deliver (needs of the people) to the corners of the globe, and are Allah's trustees on earth." [75]

## HIGHEST HONOUR

(4) The greatest honour of the profession of trade is that the chief of the first and the last (سيد الاولين الآخرين), the seal of the Prophets, Allah's Messenger ﷺ also took part in trading. He did it sometimes as a partner in business of *musharakah* and undertaking. Sayyiduna Abdullah ibn Sa'ib (Radhiallahu 'anhu) said that he was a partner in business of Allah's Messenger ﷺ during the *jahiliyah*. When he came to Madinah, he asked him, "Do you recognize me?" He said, "Why not? You were my partner in business. And What an excellent partner you were! You never put off anything and never disputed about anything." [76]

Sayyiduna Qays ibn Sa'ib Makhzumi (Radhiallahu 'anhu) narrated that during the *jahiliyah* Allah's Messenger ﷺ was his partner in business. He never disputed and never argued. [77]

The mother of the believers, Sayyiduna Khadijah (Radhiallahu 'anhu) belonged to a noble family of the Arabs. She was very rich. Whenever a trade caravan of the Quraysh departed, she sent her trade goods in charge of someone under the arrangement of *mudarabah* (which means one partner invests merchandise and the other is a working partner, and both share the profit). When Allah's Messenger ﷺ was twenty-five years old and he came to be recognized by everyone as honest and trustworthy, she sent message to him that if he took her trade merchandise to Syria, she would give him a share of profits, more than she had been giving to other people. He agreed to go because of the financial difficulties of his uncle, Abu Talib. He departed along with her slave, *Maysarah*. (Many amazing, faith strengthening things happened during the journey and they are recounted in the Prophet's ﷺ sirah but, here, I only present that which is relevant to the subject under discussion.)

On return from Syria, the Prophet ﷺ handed over the trade merchandise to Sayyidah Khadijah (Radhiallahu 'anhu). It was because of his blessing that she earned profit as much as she had never before earned. She gave him his share of the profit, but more than what they had agreed. [78]

Some accounts do say that he had previously handled her trade merchandise to some areas of Arabia. [79]

Two months and twenty-five days after this journey, Sayyidah Khadijah (Radhiallahu 'anhu) herself asked him if he would marry her. He agreed after consulting his uncle. When they married, he was twenty-five and she forty years old. [80]

(5) Sayyiduna Ibn Abbas (Radhiallahu 'anhu) narrated that Allah's Prophets Sayyiduna Hud ('alayhi as-salām) and Sayyiduna Salih ('alayhi as-salām), too, were traders. [81]

(6) A large number of the *sahabah* (Radhiallahu 'anhu) were engaged in the business profession. They included Sayyiduna Abu Bakr Siddiq (Radhiallahu 'anhu), (Umar) Faruq Azam (Radhiallahu 'anhu), Uthman Ghani (Radhiallahu 'anhu), Abdur Rahman ibn Awf (Radhiallahu 'anhu), Zubayr (Radhiallahu 'anhu) to name a few. All these five are among the *ashrah mubashsharah* (the ten whom the Prophet ﷺ gave glad tidings of admittance to paradise).

Shaykhul-Hadith Mawlana Muhammad Zakariya رحمه الله has named in his brief but very useful book *Fada'il Tijarat* many other *sahabah* رضى الله عنهم as traders. He has also included short accounts of their trading, and has written:

"The noble *sahabah* رضى الله عنهم did business of different things details of which may be seen in *At-Taratib al-Idariyah*. In its different chapter, the various kinds of trading of the *sahabah* رضى الله عنهم are mentioned." [82]

The business of Sayyiduna Abu Bakr (Radhiallahu 'anhu) was well-known, both in Makkah and in Madinah. After the death of the Prophet ﷺ, he was appointed *Khalifah* and had to run the Islamic State, he set out the very next morning with his bag of cloth to sell them in the market. He met Umar (Radhiallahu 'anhu) and Abu Ubaydah ibn al-Jarrah (Radhiallahu 'anhu) on the way. They asked him how he could do that work at the same time as

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managing State affairs. He asked, “How then will I feed my family?” They said, “We shall allocate an allowance for you.” So, the *sahabah* رضى الله عنهم agreed to allow him half the price of a sheep every day. [83]

Then the Shaykh ul-Hadith رحمه الله has reproduced the words of the exponent of Bukhari, Ibn Zikri رحمه الله : “Everyone who is occupied in tasks of the Muslims, like a *qadi*, a *mufti*, a teacher, is governed by the same command.” [84]

Sayyiduna Umar (Radhiallahu 'anhu) could not learn of some of the Prophet's ﷺ *ahadith*. So, he lamented about that:

أَلْهَيْتُ الصَّفْقُ بِالْأَسْوَاقِ

“The market occupied me from this.” [85]

While he was the *Khalifah*, Sayyiduna Umar (Radhiallahu 'anhu) went to the market once. He discovered that many outsiders had come to do business. When he asked for the reason why the locals were not there, he was told, “Allah has made us self-sufficient through conquests and spoils of war. So we are not dependent on business.” He said, “If you do that then your men will be dependent on those (disbelieving) men, and your women will become subject to their women.”

Allamah Abdul Hayyi Kattani رحمه الله said, “The wisdom of Sayyiduna Umar (Radhiallahu 'anhu) about this *ummah* proved absolutely correct. When they gave up trading in a *Shariyah* manner, others adopted it. The Muslim *ummah* became dependent on other people.” [86]

As for Sayyiduna Uthman (Radhiallahu 'anhu), it is very well-known that he was a merchant. Allah had bestowed so much blessing in his business and wealth that his name was appended with the word *ghani* (rich). Whenever Muslims or the Islamic government needed a financial support, he was in the forefront to try and solve that problem with his wealth. In the Battle of Tabuk, he presented three hundred camels with full equipment. [87]

According to a version he presented on this occasion, thousand *dinar* (*ashrafis*). The Prophet ﷺ put them on his lap and turning them up and down, he said, “Nothing will hurt Uthman after today!” He repeated these words twice. [88]

## LABOUR & SERVICE ARE SUNNAH OF PROPHETS عليهم السلام

Let us present some examples of this:

(1) Carpenter's occupation: Allah's Messenger ﷺ said:

كَانَ زَكَرِيَّا نَجَّارًا

“Zakariya (‘alayhi as-salām) was a carpenter.” [89]

“And, this was his source of living.” [90]

(2) Tailor's profession: Well-known books of exegesis quote Sayyiduna Ibn Abbas (Radhiallahu 'anhu) as saying:

إِنَّ إِدْرِيسَ كَانَ خِيَّاطًا

“Idris (‘alayhi as-salām) was a tailor.” [91]

Some historical accounts say that Sayyiduna Hud (‘alayhi as-salām) and Sayyiduna Luqman (‘alayhi as-salām)

also earned a living through this profession. [92]

(3) Grazing sheep: The Prophet ﷺ said, “All the Prophets عليهم السلام were shepherds.” The *sahabah* (Radhiyallahu 'anhu) asked, “You too?” He said,

نعم كنتُ أَرعاهَا عَلَى قَرَارِيطِ لَاهِلِ مَكَّةَ

“Yes, I used to graze sheep of the people of Makkah against some qirat (when I was young).” [93]

*Qirat* is used for a specified number of *dinar* or *dirham*. [94]

## DIGNITY OF LABOUR

(1) The Prophet ﷺ carried stones and put them at their places while building the *Masjid Nabavi*. [95]

He was in the forefront in the Battle of Trenches in digging the trenches and filling the mud. [96]

(2) Sayyidah Ayshah (Radhiyallahu 'anhu) narrated that Allah's Messenger ﷺ used to repair his shoes, stitch his clothes and he helped in household tasks. [97]

(3) She also said that he used to wash his garments himself and milk his sheep. And, he did his work himself. [98]

(4) This saying of the Prophet ﷺ is a great glad tidings for those who do not shy to do work of any type to earn lawful sustenance.

مَا أَكَلَ أَحَدٌ طَعَامًا قَطَّ خَيْرًا مِّنْ أَنْ يَأْكُلَ  
مِنْ عَمَلِ يَدَيْهِ، وَإِنَّ نَبِيَّ اللَّهِ دَاوُدَ عَلَيْهِ السَّلَامُ  
كَانَ يَأْكُلُ مِنْ عَمَلِ يَدَيْهِ

“No one has eaten a better food definitely than one who eats from (the earning of) his hand's labour. And surely the Prophet of Allah, Dawud (‘alayhi as-salām) used to eat through (the earning of) his own hands. [99]

This means earning of one's own effort be that with his hands, feet or mind.

Therefore, accounting, planning, administration and office work, insha Allah, also fall in this category.

According to another version of this *hadith*, this great glad tidings is given:

مَنْ بَاتَ كَالًا مِّنْ عَمَلِهِ، بَاتَ مَغْفُورًا لَهُ

“If anyone spends the night completely worn out (and weary) from his work, then all his (minor) sins are forgiven to him (provided he abstained from major sins as stipulated in verse 31 of surah an-Nisa). [100] /p>

(5) There is no dearth of the glorious *sahabah* (Radhiyallahu 'anhu), tabi'un رحمهم الله, *muhaddithin*, *ulama* and *awliya* Allah [101] in the history of Islam who had adopted kindred professions to earn a living. Out of respect, titles (epithets) were appended to their names: *Zayyat* (dealer in oil), *Dahba* (one who dyes leather or hides) *hadhdha* (Shoe maker, cobbler), *warrad* (dealer in rose flowers), *jazzar* (butcher) *lahham* (meat seller), *qassar* (washerman), and so on. Such epithets are found with the names of the narrators of *hadith* too.

Islam values industry, craft and labour and esteems lawful earning. In the first generation of the Islamic society, no profession that was lawful was ever regarded as disgraceful

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You have read the saying of Allah's Messenger ﷺ that a true, trustworthy trader will be among the Prophets ﷺ, the truthful ones and the martyrs. Clearly, a trader cannot be trustworthy if he is unjust to his workers and puts them through strenuous labour or humiliates them.

We can say with firm conviction that it is impossible to give a better treatment to a labourer than what Islam gives. It honours him like a brother. No better way may be found to honour him and give him all his rights than what Islam gives him.

## (2) STANDARD OF MERIT

The second principle concerning industrial relations that we see from the Qur'an and the *sunnah* is that employees are of two kinds. (i) Those that are connected with administration. They do mental work, direct and plan. (ii) Those engaged in physical work and are known as labourers. The noble Qur'an tells us, in principle, the standard of merit of both these kinds of employees.

### STANDARD OF THE FIRST KIND

We find the standard of the first kind in *surah Yusuf*. When the innocence and chastity of Sayyiduna Yusuf (*'alayhi as-salām*) was proved beyond doubt, the king of Egypt instructed that he should be brought to him so that he might appoint him for official State duty. He was brought honorably and his capabilities were further discovered during the king's conversation with him. So, he said:

إِنَّكَ الْيَوْمَ لَدَيْنَا مَكِينٌ أَمِينٌ

{Today you are with us well-placed, fully trusted.} (12:54)

Then the king heard from him directly the interpretation of his dream and expressed his worry about the seven year drought, asking how it could be minimized in effect and who should be put in charge. He said:

اجْعَلْنِي عَلَى خَزَائِنِ الْأَرْضِ  
إِنِّي خَفِيفٌ عَلَيْهِمْ

{Appoint me to (supervise) the treasures of the land. I am indeed a knowledgeable keeper.} (12:55)

The Qur'an puts together the qualifications that an aspirant to office of financial affairs should possess in three words:

(i) Trusted, (ii) keeper and (iii) knowledgeable.

First of all, he should be trustworthy. This presupposes that he should be true in word and deed, and will not deliberately be slack in discharging his official duties but will be honest, well-wishing and responsible.

Secondly, he will be one who protects a keeper. He will not waste the property and other valuables in his charge. He will watch over them and will protect the secrets that he has access to during his duties.

Thirdly, he is knowledgeable. He is competent and knows the things necessary to know while doing his work assigned to him. He will neither withhold nor overspend money and knows well how to handle monetary affairs.

In short, the qualifications necessary for holders of administrative posts- the first of two kinds- are (i) trustworthiness, (ii) ability to keep safely and (iii) possessing knowledge of the work assigned.

### STANDARD OF THE SECOND KIND

We find it in the account of Sayyiduna Musa (*'alayhi as-salām*), it took place in the village Madyan, as the noble Qur'an says.

One of the daughters of Sayyiduna Shu'ayb (*'alayhi as-salām*) advised her father: [\[102\]](#)

يَا بَتِ اسْتَأْجِرْهُ إِنَّ خَيْرَ مَنِ اسْتَأْجَرْتَ الْقَوِيُّ الْأَمِينُ

{Dear father, hire him, the best man you can hire is someone who is strong, trustworthy.} (28:26)

Allah inspired this daughter to say a wise thing. It means that the ideal employee possesses two qualities. He is able to work with strength and faculty or aptitude. Secondly, he is trustworthy.

So, without physical ability [103] and trustworthiness no employee is worthwhile.

## TRUSTWORTHINESS IS ESSENTIAL IN BOTH

It must be borne in mind that both kinds of employees should be trustworthy though their other qualifications differ. Every kind of employee must be trusted and the Qur'an and the *sunnah* make mention of it repeatedly with emphasis. Some verses of the Qur'an and some *ahadith* will be reproduced later, but here we narrated two *hadith*.

Sayyiduna Anas (Radhiallahu 'anhu) narrated that it was rare that a sermon of Allah's Messenger ﷺ did not have his words:

لَا إِيمَانَ لِمَنْ لَا أَمَانَةَ لَهُ، وَلَا دِينَ لِمَنْ لَا عَهْدَ لَهُ

“He who lacks trustworthiness lacks faith. And, he who is not true to his promise (covenant) has no religion.” [104]

The Prophet ﷺ described a hypocrite with three characteristics. One of them is:

وَإِذَا أُوثِقَ خَانَ

“When a trust is placed with him, he betrays.” [105]

Now-a-days, candidates for jobs are examined for various aptitudes and degrees, but no thought is given to honesty and trustworthiness. The result is that bribery, partiality, dereliction of duty and lack of responsibility are common. Dishonesty has done away with hard work in our government offices. Commercial and industrial enterprises are close on heels in this regard. Pakistan's traders are notorious in the commercial world. Our government managed educational institutions and means of communications care nothing for honesty and trustworthiness.

Then, what surprise that we are identified with corruption!

### (3) QUOTA SYSTEM BE REPLACED BY SELECTION ON MERIT

The third principle concerning Industrial relations is that Islam does not recognize selection for employment on the basis of quota or allocation. Rather, it advocates selection on merit and aptitude. This will become clear from the verses and *ahadith* that we shall present in the lines to follow. No one may demand appointment on the basis of quota because he belongs to a certain district or city. In Pakistan, certain regions have their share pre-determined in some kinds of employment. The result is that a highly qualified, honest applicant from another region will not be considered at all but another of that region will be appointed howsoever dishonest and unworthy he is. Islam does not uphold this procedure, for, it is unjust. An unqualified and undeserving man must leave the field for a worthy one and look for some other work for himself.

It is binding on the government officers and the responsible men of private enterprises to make appointments strictly on the basis of merit. The applicant may belong to any area but the only criteria is that he should be deserving. We have seen previously that Sayyiduna Yusuf (*'alayhi as-salām*) was made Egypt's minister of finance though he was not a native of Egypt. (Later, he was given all authority of the king). Prophet Musa (*'alayhi as-salām*) was not a native of Madyan, yet he got an employment there. He belonged to Egypt.

In short, it is a religious obligation of the employment officer to select employees on the basis of aptitude and not 'local' and 'outsider'. He should not let his own likes, partiality and someone's recommendation interfere in the discharge of this duty, because this assignment entrusted to him is in itself a trust in his hands. If he commits treachery and appoints an unworthy man in place of a deserving one then it is an injustice on his part against those who have rights on the office.

The Qur'an says:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا ۚ

{Surely Allah commands you to deliver trusts to those entitled to them.} (4:58)

This verse was revealed concerning allocation of an important post. Service of the *ka'bah* has been regarded always as a very honourable work, even before Islam. Different capable people were chosen for various services to the House of Allah. Those who were chosen for these services were looked upon by the entire nation as very respectable. From pre-Islamic times the serving of zamzam water to the pilgrims during the *hajj* season was entrusted to the Prophet's ﷺ uncle, Sayyiduna Abbas (*Radhiallahu 'anhu*). This service was known as *siqayah*. Some services were assigned to another uncle of the Prophet ﷺ, Abu Talib. The keys of the House of Allah (*Bayt Allah*) were in the custody of Sayyiduna Uthman ibn Talhah (*Radhiallahu 'anhu*). He was required to unlock and re-lock the door of the House at appointed hours.

He narrated that when Makkah was liberated, Allah's Messenger ﷺ called him and asked him for the keys of *Bayt Allah*. He went inside and offered salah inside. Then he came out and returned the keys to Uthman (*Radhiallahu 'anhu*), saying, "Take! Now these keys will remain with your family forever, if anyone takes them back from you then he will be an oppressor." He also instructed him, "If you get any property in return for this service to *Bayt Allah*, spend it according to *Shari'ah* laws."

Sayyiduna Umar (*Radhiallahu 'anhu*) said that when the Prophet ﷺ came out of *Bayt Allah* that day, he had this verse on his tongue (meaning 4:58 reproduced in the preceding lines). He said, "I had not heard this verse from him before." Clearly, it was revealed at that time within the *Ka'bah*. It was in abiding with it that the Prophet ﷺ returned the keys to Uthman ibn Talhah (*Radhiallahu 'anhu*) (which means that he deserved to hold the keys). It is a general consensus that whatever the reason for revelation of a verse, its application is universal and the entire *ummah* is bound to abide by it.

The Qur'an has used the word **امانات** (*amanat*), plural of **امانة** (*amanah*). This is a hint that *amanah* (trust) does not apply merely to keeping someone's property with another. Rather, there are other applications of this word as

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are mentioned in *ahadith*, like, consulting someone is an *amanah* (trust), a secret is an *amanah*, and so on. Even in the background of this verse that is just mentioned, these keys are no financial *amanah*. The keys of *BaytAllah* are not property, but they are a symbol of an office, or service to *BaytAllah*.

## ALL POSTS OR DUTIES ARE AMANAT

This means that all offices and posts are trusts of Allah. The trustees are they who have authority to appoint and remove. A trust should be paid only to its owner and it is not allowed to hand it over to a beggar or a needy person out of pity for him, nor must anyone's *amanah* (trust) be handed over to a relative or friend to repay him for his favour or debt. The posts of government or of companies are also *amanat* (trusts) and only they deserve them who qualify for these posts through their ability and are the best of those people who are available, and are also more honest and trustworthy than the others. If the post is handed over to someone other than them, then it is treachery. [106]

When Sayyiduna Abu Dharr Ghifari (Radhiyallahu 'anhu) requested Allah's Messenger ﷺ to make him a governor of some place, he refused to do so, saying:

يَا أَبَا ذَرٍّ! إِنَّكَ ضَعِيفٌ وَإِنَّهَا أَمَانَةٌ، وَإِنَّهَا يَوْمَ الْقِيَامَةِ  
خِزْيٌ وَتَذَامُنَةٌ إِلَّا مَنْ أَخَذَهَا بِحَقِّهَا وَ أَدَّى الَّذِي عَلَيْهِ فِيهَا

“O Abu Dharr! You are weak and this is an amanah. On the day of resurrection, it will cause humiliation and regret except to one who discharges its right and obligations honestly.” [107]

## TO APPOINT THE UNWORTHY IS TREACHERY

Allah's Messenger ﷺ said:

مَنْ اسْتَعْمَلَ رَجُلًا مِنْ عَصَابَةٍ وَ فِيهِمْ مَنْ هُوَ أَرْضَى  
اللَّهُ مِنْهُ فَقَدْ خَانَ اللَّهَ، وَرَسُولَهُ وَالْمُؤْمِنِينَ

“He who appointed someone out of many to a post though there was another, among them, better than he then he (who has appointed) has betrayed Allah, His Messenger and (all) believers.” (at-Tarhib wa at-Tarhib) [108]

The mess and downfall that we find in State and private offices to day is the result of neglecting this teaching of the Qur'an and the *sunnah*. Appointments are made because of relationships, bribery recommendations and connections, so that the incompetent hold offices and cause hardship to Allah's creatures. The entire working is upset and society comes under utter confusion and mischief.

When someone asked Allah's Messenger ﷺ, “When will the Last Hour come?” he said to him:

إِذَا ضُيِّعَتِ الْأَمَانَةُ فَانْتَظِرِ السَّاعَةَ

“When amanah (trust) is betrayed, wait for the Last Hour.” [109]

Thus, if the unworthy are placed in high positions, it is so bad and has such a far-reaching effect and treachery that there is no hope of reforming. One may only wait for the Last Hour.

## AN EXCEPTION

*Shari'ah* has no objection to a sole proprietor or a board of partners of a private company unanimously appointed an  
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incompetent man to a post in order to help him out financially. This is their own affair and is limited to their personal ownership. This will not have bad influence on others but it helps a poor man live a respectable life, He will maintain his self-respect. In fact, *Shari'ah* commends such an action of kindness and self-sacrifice. There is blessing it for those who make such person an employee. Allah's Messenger ﷺ said:

إِنَّمَا تُرْزَقُونَ وَتُنَصَّرُونَ بِضَعْفَائِكُمْ

“Indeed, you are given provision and help only because of the weak people among you.” [\[110\]](#)

Moreover, *Shari'ah* has no objection to the appointment of a more needy person, or of one belonging to a particular region, if all the candidates are of equal qualification and rank. In fact, sometimes this action is wise provided the man appointed is not less competent, honest and trustworthy than other. [\[111\]](#)

## (4) CONTRACT OF EMPLOYMENT

Another principle concerning Industrial relations that is known from the Qur'an, *sunnah* and *fiqh* is that before the employee is hired, a contract should be concluded between him and the employer. It should specify the nature of work, duration or working hours, place of work, salary and any kind of benefits they might demand from one another. They should also specify the number of holidays and leave, length of employment and the option to terminate by either party.

In the parlance of *Shari'ah*, employment and labour is called *ijarah*. If the contract is not concluded then disputes will arise day in and day out between the *ajir* (employee) and the *aqir* (employer). In the terminology of *fiqh*, this kind of uncertain and ambiguous *ijarah* is *fasid* (corrupted) and sinful. It is *wajib* to annul such an *ijarah* as it causes regular disputes.

The noble Qur'an says that when the *aqir* (Sayyiduna Shu'ayb [112] ('*alayhi as-salām*')) wished to employ Sayyiduna Musa ('*alayhi as-salām*'), he said to him:

قَالَ إِنِّي أُرِيدُ أَنْ أَتَخَيَّرَ مِنْ ابْنَتَيْ هَاتَيْنِ عَلَى  
أَنْ تَأْجُرَنِي ثَمَنِي جَجَجٌ ۖ فَإِنْ أَتَمَمْتَ عَشْرًا  
فَمِنْ عِنْدِكَ ۖ وَمَا أُرِيدُ أَنْ أَشُقَّ عَلَيْكَ ۖ  
سَتَجِدُنِي إِنْ شَاءَ اللَّهُ مِنَ الصَّالِحِينَ ۝

{He (the father) said (to Musa), "I wish to marry to you one of these two daughters of mine on condition that you act as my employee for eight years. Then if you complete ten (years) it will be of your own accord. And I do not want to put you to any trouble; you will find me, insha Allah, one of the righteous."} (28:27)

There was no other man in the house of Sayyiduna Shu'ayb ('*alayhi as-salām*')) to attend to outdoor work. So, he hired Sayyiduna Musa ('*alayhi as-salām*')) to graze sheep, and such other work as was specified and both of them knew it. The place was defined. The length of employment was fixed at eight years. The remuneration was made known that he would marry to him his daughter. (In those days, it was allowed in *Shari'ah* to make marriage a remuneration.) According to a *hadith*, it was agreed that the feast of Sayyiduna Musa ('*alayhi as-salām*')) was also on the *aqir* (Sayyiduna Shu'ayb ('*alayhi as-salām*')) as part of the remuneration. [113]

In short whatever it was necessary to define between the employer and employee was contracted as declared by the employer making it clear that he would not cause him difficulty but treat him kindly as may be expected from a righteous person. This was the offer from the employer and his promise. Sayyiduna Musa ('*alayhi as-salām*')) gave his response:

ذَلِكَ بَيْنِي وَبَيْنَكَ ۖ أَيَّمَا الْأَجَلَيْنِ قَضَيْتُ فَلَا  
عُدْوَانَ عَلَيَّ ۖ وَاللَّهُ عَلَى مَا نَقُولُ وَكِيلٌ ۝

{This is (done) between me and you. Whichever of the two terms I fulfil, there should be no excess against me, and Allah is witness to what we are saying.} (28:28)

Like employment, *Shari'ah* makes *wajib* to conclude such terms in buying and selling too. If there is any uncertainty then disputes arise, so such ambiguity and uncertainty must be removed. If not, the deal becomes *fasid* and is not allowed in *Shari'ah*. It is *wajib* to annul it. This has been elaborated upon in *ahadith* and *fiqh*. Allah's Messenger ﷺ said about both parties who buy and sell:

فَإِنْ صَدَقَا وَبَيَّنَّا بُرْكَ لَهُمَا فِي بَيْعِهِمَا، وَإِنْ  
كَذَبَا وَكُتِمَا مُحِقَّتْ بَرَكَةُ بَيْعِهِمَا

“If both of them spoke the truth and made (everything about it) clear, then blessing will be found for them in their transaction. But, if they lied and concealed (related matters in their deal), then blessing will be removed from their transaction.” [\[114\]](#)

In short, at the time of finalizing an employment, both parties must sort out such terms as generally lead to disputes later on. In fact, the Qur’an and the *sunnah* demand that the terms and conditions of employment must be put down in writing because this is a kind of debt. The employee works first but gets his salary afterwards (after a week, or a month). So, when finalizing a debt, we have a strong guidance from the noble Qur’an that we should pen down a clear, exhaustive document duly attested by witnesses. So, if a dispute has to be taken to court, the right-holder may get his right.

The significance in law of such a document may be gauged from the fact that the Qur’an has given relative instructions in a verse that is the longest verse of the noble Qur’an. It is made up of important principles of the law of agreement. (It is the verse 282 of *surah al-Baqarah*.) It is called *ayat ul-madainah*.

We find separate chapters on such documents in the books of *hadith* and *fiqh*, like in the well-known book of *hadith Jami Tirmidhi* under the caption *kitab-atush-shuroot*. In the well-known book of *fiqh Fatawa Alamgiri* it is by the caption *kitab ul-Muhad’ir wa as Sijlat*.

If this guidance of

*Shari’ah*

is followed, then the disputes between the employer and the employee will be done away with to a great extent. Many such things as have to be taken to courts or trade unions will have been clarified beforehand. The courts, too, will have fewer cases to handle.

## (5) RIGHT OF ONE IS OBLIGATION OF THE OTHER

Another principle about Industrial relations derived from the Qur'an and *sunnah*, I venture to present here. Before that, however I wish to point out that there is a great noise these days about demand of rights. Numerous unions and organisations fight for this cause day and night, but rights elude the seeker. The employer complains that the employees do not work and the latter clamour for their rights from the former. The same kind of tug of war goes on between the masses and the government, in family life between husband and wife, mother-in-law and daughter-in-law, and brother and brother. Each party complains of usurpation of rights. The situation has come to a head in educational institutions as an everyday crisis. After all, why are rights denied?

If we ponder, the root cause of the denial of rights is that each party does not care to discharge his obligations that are due from him.

The more we study the Qur'an and the *sunnah*, truth will dawn on us more vividly that Allah has placed many rights of every human being in this world on others as their obligations or duties. An agreement or a contract of whatever kind political, social, defensive, whether written or oral-any lawful agreement imposes the right of each party as a religious duty of the other. The right of a customer to get what he buys in a sound, proper condition on time is the trader's duty or obligation. And, the trader's right to get the agreed price on time is the customer's obligation. The right of the employer to get the agreed work complete on time is the employee's obligation, and the right of the employee to get his agreed remuneration on time is the obligation of the employer.

In short, the Qur'an and the *sunnah* call on us that the right of each party is the obligation of the other. A labourer's right is the duty or obligation of the boss and the boss' right is the labourer's obligation.

Hence, if everyone wants his right in full but is not prepared to give the other his right, then the result will be what we see before us. Only a slogan will be raised, but nothing will be achieved. Life will be a hell of disputes. The only way to get one's rights is that everyone should discharge his obligations, which are rights of other people, with a sincere sense of responsibility and fear of having to submit to reckoning in the hereafter. This is only way that can guarantee that everyone's rights will be received.

### THINK MORE OF GIVING RIGHTS THAN GETTING

The selfish political and economic system bereft of thought of the hereafter and fear of God that we find ourselves in has presented the world with freedom and democracy. It causes everyone to demand his rights but the number of those who worry about giving rights dwindles day by day. Freedom and democracy are nothing more than coming out on streets to demonstrate and riot violently. To discharge duties is an unknown idea. None of the many political or social groups calls upon its members to divert their attention to give rights of others and discharge their obligations. It is futile to hope of it from the State run educational institutions and from the medium of communication. The result is obvious: no one gets rights. As a last resort, the police and the courts are looked upon to get the rights. But, what if no one is prepared to discharge his obligations?

This is why Islam, a natural religion, has created a strong, easy to procure without much cost, recourse to law courts to redress grievances. And, it demands of its adherents to realize their duties and to comprehend that the rights of one are another's obligation, and they should be more concerned with discharging their obligations than demanding their rights. This is the only way to create peace in the world and remove wrongdoing and chaos. For one, there will be negligible reason to approach the police and courts. Moreover, if anyone is compelled to approach them, he will find justice there and will get his rights. This kind of peaceful and ideal society is recorded in history during the time of the Messenger ﷺ, the righteous caliphs and thereafter the righteous Muslim rulers.

### (1) A SAHABI'S TESTIMONY FOR THIS

The well-known *sahabi*, Sayyiduna Hudhayfah (Radhiallahu 'anhu), had these words of confirmation for this:

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“I have gone through a period when I had no hesitation to transact or make a contract with anyone. (The reason was that) if he was a Muslim, I was satisfied that his religion will direct him to give me my right in full. But, if he was a Christian or a Jew, even then I was convinced that his officer or ruler (who used to be Muslims in those days) would get me my right.” [115]

Islam did not merely restrict this basic conduct to the rules of moral behaviour [116] , but prescribed it as a significant religious duty and assured a return for it in the hereafter: reward or punishment. [117]

I present here some verses of the Qur'an and the *ahadith* relevant to this topic. I hope that our political leaders, chambers of commerce and trade unions make these wise and just teachings their guidelines to review their present working. May they create in their members to urge to discharge their obligations with zeal. The Chambers of commerce and industries must impress upon their members to give the rights of the workers because it is their duty. The Labour unions may exhort their members to do their duties diligently as a trust because it is their obligation. In the eyes of *Shari'ah*, just as the manufacturer who deprives the labourers of their agreed remunerations is a wrong-doer (or oppressor), so too a labourer is a wrong-doer who does not do his agreed piece of work. This thing cannot be achieved without fear of God and thought of the hereafter. Merely the agencies of law cannot get it done. The thought of the hereafter must keep constant watch on man's thought and movement (to get positive results).

If we achieve this, then certainly our society and our country will turn into a place of peace and security. Moreover, we shall achieve rapid progress in the fields of industry and trade, to be cited as an example. In countries where this thing is being done to some extent, a proportionate prosperity is visible.

(2) I wish to recall first the command of the noble Qur'an which has been cited earlier too.

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَىٰ أَهْلِهَا  
وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ \*

{Surely, Allah commands you to deliver trusts to those entitled to them, and that, when you judge between people, judge with justice.} (4:58)

The word trusts, here, stands for rights of people. This verse too, does not address the right-holders, but it addresses the people who have rights of others due on them. They are instructed to give rights of the right-holders (promptly without their demanding it). We have stated previously that every sensible adult person has some rights of others payable by him. Hence, this verse is addressed to every human being, be he a ruler or his subject, an employer or an employee, a rich man or a poor person, a customer or a trader. Everyone is responsible to pay another rights placed as a trust with him by Allah. It is not only his legal duty to deliver these rights to the right-holders, but also a religious obligation. This obligation cannot be fully discharged without complete faith in Allah, picture of one's own grave and thought of reckoning in the hereafter to be rewarded or punished. Hence, Allah concludes this verse with:

إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

{Surely, Allah is All-Hearing, All-Seeing.} (4:58)

(He hears all you say whether good or bad and sees all good or bad you do. It is not difficult for Him to subject everyone to reckoning in the hereafter and reward or punish him.)

### (3) FATE OF THOSE WHO APPROPRIATE RIGHTS OF OTHER PEOPLE

This declaration of the noble Qur'an about those who deny other people their rights in worth deep pondering:

وَيْلٌ لِّلْمُطَفِّفِينَ ۖ ۝ الَّذِينَ إِذَا أَكْتَالُوا عَلَى النَّاسِ ۖ يَسْتَوْفُونَ ۖ ۝ وَإِذَا كَالُوهُمْ أَوْ وَزَنُوهُمْ يُخْسِرُونَ ۖ ۝ أَلَا يَنظُرُونَ أَنِّلَكَ أَنَّهُمْ مَّبْعُوثُونَ ۖ ۝ لِيَوْمٍ عَظِيمٍ ۖ ۝ يَوْمَ يَقُومُ النَّاسُ لِرَبِّ الْعَالَمِينَ ۖ ۝

{Woe to the curtailers who, when they measure something to receive from the people, take it in full, and when they measure or weigh something to give it to them, give less than due. Do they not think that they will be raised up on a Great Day (or reckoning) the Day when all the people will stand before the Lord of the worlds?} [118] (83:1-6)

These people who are warned of a painful punishment are described with two qualities.

- (i) When they take their rights, they take it in full.
- (ii) When they give others their rights, they do not give in full, but decrease it.

## A QUESTION ANSWERED

The question arises why the first quality is condemned though it is not wrong. The second, of course, is wrong.

The exegetes answer it in different ways. All their answers appropriate. However, my own humble opinion is that the first quality is mentioned with the second to suggest how selfish and disgusting it is of them to desire to get their own rights in full but to deprive other people of their full rights. This is foolishness of the worst kind. If any community gives less measure and weight, then no one there is given full measure and weight in anything they buy. Hence, if these people desire to get full rights, then it is foolish of them to wish for that.

It must be understood that if anything sold is adulterated then it is tantamount to giving less weight and measure because the seller receives full price for the pure, unadulterated thing but does not give the buyer that much of the pure.

## (4) PEOPLE OF PROPHET SHU'AYB (‘ALAYHI AS-SALĀM) PUNISHED

We may draw a picture of the seriousness of this crime by the fact that the *ummah* of Sayyiduna Shu'ayb (‘*alayhi as-salām*) were subjected to a terrible punishment for giving less measure and weight. The Qur'an has spoken of this many times in different degrees of seriousness.

## (5) WARNING TO THIS UMMAH

This much concerned the *ummah*'s of the past. As for this *ummah*, the Prophet ﷺ also warned them of a severe punishment to the people who are accustomed to cheat in weight and measure, or to commit indecency openly. They will get punishment in this world too. He said:

“If a people commit indecency openly, they will be beset with pestilence and such maladies as were unknown to the people of the past. Those people who give less measure and weight are afflicted with famine (shortage of necessities) as a punishment. They also suffer (different kinds of) severe hardships and have over them oppressive rulers.” [119]

Today in the year 2009, our society is involved in both these evils. (May Allah preserve us in His refuge and cause us to make repentance! *Aameen* !)

## CHEATING IN WORK IS LIKE GIVING LESS WEIGHT & MEASURE

The Qur'an speaks only of cheating in weights and measures because generally transactions are based on them. We may say on this basis that it applies to rights of people. Have they been given their rights? The purpose is that every right holder must be given his right in full. It is forbidden to diminish it. Thus, the injunction is not restricted to weights and measures but to rights of people, because they too are rights and giving less of weights and measures is also an infringement of rights of other people. It may be in weighing or measuring, in counting or numbers, or in any other way. It is forbidden to diminish right of any right-holder.

Therefore, if a labourer or an employee has undertaken to work for a certain number of hours but cheats on some of them and works for less time than agreed, then it is as bad. The remuneration for that much time is as forbidden as stolen property. Besides, even during the agreed hours, he will have to work as hard and diligently as is expected of him by custom and normal practice, but if he is lethargic then it is as forbidden as cheating in weights and measures. [120]

Many common people and even many such who seem to be very religious are negligent in this regard. They do not think that it is a sin to diminish their duties of employment.

## IMPORTANCE OF RIGHTS OF FELLOWMEN

These kinds of rights are rights of fellow men (of Allah's creatures). It is such a grave sin to cheat on them that while other grave sins may be forgiven after making a sincere repentance the rights of fellow men will not be forgiven unless they are given to them or pardoned by them. Allah has not given assurance of forgiving them even after making a repentance. May Allah grant us refuge from such crime.

(6) The Prophet ﷺ said (while narrating a *hadith* qudsi) that Allah, the Exalted, said, "There are three people against whom I shall Myself plead on the day of resurrection. (i) He who swears by Me to make a commitment, but breaches it. (ii) He who sells a free man and pockets the proceeds. (iii) He who gets his employee do the full work as agreed but does not pay him his salary" [121]

The Arabic words of the third are:

وَرَجُلٌ اسْتَأْجَرَ أَجِيرًا فَاسْتَوْفَى مِنْهُ وَلَمْ يُعْطِهِ أَجْرَهُ

(7) The Prophet ﷺ emphasized that the wages of the labourer must be paid as early as possible and went so far as to say:

أَعْطُوا الْأَجِيرَ أَجْرَهُ قَبْلَ أَنْ يَجِفَّ عَرَقُهُ

"Pay the labourer his wages before his perspiration dries." [122]

(8) We may gauge the seriousness of rights of fellow men from this *hadith*: Allah's Messenger ﷺ once asked his *sahabah* رضى الله عنهم, "Who is a (poor) destitute in your opinion?" They submitted, "We think a destitute is one who has no *dirham* or (worthwhile) possession." He said:



إِنَّ الْمُفْلِسَ مِنْ أُمَّتِي مَنْ يَأْتِي يَوْمَ الْقِيَامَةِ  
بِصَلَاةٍ وَصِيَامٍ وَزَكَاةٍ، وَيَأْتِي قَدْ شَتَمَ هَذَا  
وَقَذَفَ هَذَا وَ أَكَلَ مَالَ هَذَا وَسَفَكَ دَمَ هَذَا  
وَضَرَبَ هَذَا، فَيُعْطَى هَذَا مِنْ حَسَنَاتِهِ وَهَذَا  
مِنْ حَسَنَاتِهِ، فَإِنْ فَنِيَتْ حَسَنَاتُهُ قَبْلَ أَنْ يُقْضَى  
مَا عَلَيْهِ أَخَذَ مِنْ خَطَايَاهُمْ، فَطَرَحَتْ عَلَيْهِ،  
ثُمَّ طُرِحَ فِي النَّارِ.

“The destitute of my ummah is he who will come on the day of resurrection with salah, fasting, and zakah, but he will come having abused someone, accused someone falsely, misappropriated someone’s property, shed blood of someone, beaten someone. So, his pieties will be given away to one, to another (and to the third, fourth and fifth). Then, if his pieties are exhausted before the right-holders are paid for their rights, the sins of right-holders will be put on his shoulders. And he will be cast into hell.” [\[123\]](#)

**Synopsis :** The gist of our discussion here is that everyone, including the employer and employee, must do his duty assigned to him and discharge his obligations honestly. He must know that Allah is present and see and he must have in mind his grave and the place of gathering and contemplate the consequences. In that way, everyone will get his rights, and corruption will be eradicated from our society. If not, then no matter how many strategies are employed, the desired results will never be achieved.

And, the manner to find the goal is that every member of the society, young or old, junior or senior, should develop in him a religious attitude with faith and conviction, thought of the hereafter and fear of Allah. He must employ every possible avenue and means to develop this kind of mind.

Muslim States should give top priority to put in shape this suggestion.

## (6) MUTUAL WELL-WISHING & FRATERNAL TIES

The sixth significant principle of Industrial relations is that Islamic teachings have made this relationship into fraternal ties giving them thereby the sanctity of a form of worship.

Capitalism is based on purely materialism and selfish, unchecked individual ownership. It does not value the relationship between the employer and employee beyond a soulless economic law of demand and supply with no scope of well-wishing for one another. The employer is interested in the employee only so long as he needs him after which he may even treat him shabbily. The same applies to the employee who may even resort to strikes once his needs are over. In short, their relationships are always hostile with the result that work and production are never to the optimum level.

While Islam protects the natural law of demand and supply, as we stated at length in the previous chapter, yet it has exhorted both employee and employer convert their mutual relationship into fraternal ties so that there is sense of a form of worship in them.

### EMPLOYEE'S RIGHTS ON EMPLOYER

How should an employer behave with his employee? The noble Qur'an makes it clear in the words of the employer (Sayyiduna Shu'ayb ('*alayhi as-salām*')) of Sayyiduna Musa ('*alayhi as-salām*).

وَمَا أَرِيدُ أَنْ أُثِقَ عَلَيْكَ شَيْئًا  
إِنْ شَاءَ اللَّهُ مِنَ الصَّالِحِينَ

{And I do not want to put you to any trouble; you will find me insha Allah one of the righteous.} (28:27)

This makes it amply clear that a Muslim employer cannot be righteous till he takes pains to preserve his employee from unnecessary hardship. Allah's Messenger ﷺ said:

إِنَّ إِخْوَانَكُمْ حَوْلَكُمْ جَعَلَهُمُ اللَّهُ تَحْتَ أَيْدِيكُمْ،  
فَمَنْ كَانَ أَخُوهُ تَحْتَ يَدِهِ فَلْيُطْعِمْهُ مِمَّا يَأْكُلُ  
وَلْيَلْبِسْهُ مِمَّا يَلْبَسُ، وَلَا تُكَلِّفُوهُمْ مَا يَغْلِبُهُمْ،  
فَإِنْ كَلَّفْتُمُوهُمْ مَا يَغْلِبُهُمْ، فَأَعْيُوهُمْ

“(They are) your brothers whom Allah has caused to be under your hands. Hence, he under whose hands is his brother, must feed him from his own food and clothe him from his own clothing. And, you must not burden them with work that they cannot do, but if you burden them with such work as they cannot do then lend them a helping hand.” [124]

Generally, the labourers are poor people. If their employer is kind to them and sympathetic, then he gets great reward for it in the hereafter and also worldly prosperity here. We have read the Prophet's ﷺ words previously:

إِنَّمَا تُرَزَقُونَ وَتُنَصَرُونَ بِضَعْفَائِكُمْ

“You are given sustenance and helped because of the weak among you.” [125]

This is the brotherly relationship that Islam creates between the employer and the employee.

Now-a-days the employee is a free man, so he has more rights and deserves more respect than in ancient times. In

the days when the employees were slaves, even then the Prophet ﷺ was very kind to them. Sayyidah Umm Salamah (Radhiallahu 'anhu) said that before his death the last words of Allah's Messenger ﷺ that he continued to repeat till his tongue stopped speaking were:

الصَّلَاةُ وَمَا مَلَكَتْ أَيْمَانُكُمْ

“Be mindful of salah and of those people who are your mamluk (slaves, and so on).” [126]

## EMPLOYER'S RIGHTS ON EMPLOYEE

The employees are also urged that they should not do their duty merely to observe the rules. Rather, they must be well-wishers of the employer and work hard to his advantage so that together with their body, they must put in their heart in the work. For this, the Prophet ﷺ has given them this enviable glad tidings.

الْعَبْدُ إِذَا تَصَحَّ سَيِّدُهُ وَ أَحْسَنَ عِبَادَةَ رَبِّهِ كَانَ لَهُ أَجْرُهُ مَرَّتَيْنِ

“The slave when he is well-wishing to his master and perfect in worshipping his Lord, gets (for every deed) a dual reward (compared to others).” [127]

In short, a mere abiding by the rules and observing a selfish connection are not enough between employer and the employee or ruler and the ruled. Rather, their faith demands of them that each of them must be sincere at heart, well-wishing and sympathetic to the other. Each must do for the other as he would do for himself and should not be sluggish in letting the other profit from him. Islam encourages mutual well-wishing to the extent that it says, “A person's faith does not become perfect till he develops the attitude of wishing for the other what he wishes for himself.

Allah's Messenger ﷺ said:

لَا يُؤْمِنُ أَحَدُكُمْ حَتَّى يُحِبَّ لِإِخِيهِ مَا يُحِبُّ لِنَفْسِهِ

“None of you attains (perfect) faith till he loves for his brother. What he loves for himself.” [128]

In fact, he described the essence of Islam:

الَّذِينَ النَّصِيحَةُ

“Religion (of Islam) is (nasihah) well-wishing.”

The *sahabah* رضى الله عنهم asked him, “Well-wishing for whom?”

He said:

لِلَّهِ وَلِكِتَابِهِ وَلِرَسُولِهِ وَلِأَيِّمَةِ الْمُسْلِمِينَ وَعَامَّتِهِمْ

“For Allah, for His Book (the Qur'an, for His Messenger), for the leaders of the Muslims and their general body.” [129]

## A DOUBT REMOVED

Perhaps someone may ask that the guidance of Islam to be well-wishing to one another is merely a form of etiquette and has no effect from the point of view of economics and law.

My respected father, Mufti A'zam of Pakistan, the honourable Mawlana Mufti Muhammad Shafi رحمه الله explained its reality in his treatise entitled "*Islam ka nizam taqseem dawlat*" (p.43,44). I reproduce it here verbatim:

"This objection is raised by those who have not understood the spirit of Islam. It must be borne in mind that Islam is not merely an economic system. Rather, it is a complete charter of all departments of life. It is wrong to separate any one of them and try to understand it, for that would create misunderstandings. The correct picture of each of its departments can only be understood when the whole is seen as a complete system of life. Hence, moral guidance cannot be removed from the discussion.

Moreover, it is the distinction of Islam that if we look at it with a wider perspective, its moral guidance too is really legal commands because punishment or reward in the hereafter is decided on abiding by them. It is of basic importance in a Muslim's life. It is the belief in the hereafter that has raised morals and etiquette to the rank of law and gave strong support to the regular laws. If you look carefully at the style of the noble Qur'an, you will observe that each of its commands on law and manners is emphasized with a call to 'fear Allah' and to ponder over 'the hereafter'. The truth is that obedience to law cannot be got by merely the rod, but it is necessary to have the thought of the hereafter always in the mind to keep in watch every movement and thought of oneself.

If we look at the past of the world, it has been bound by laws and restrictions for thousands of years. In spite of that, its history is replete with accounts of oppression and crimes. Hence our point is upheld. It is very clear today that enactment of laws and creation of enforcing agencies to check crime have failed because crime is getting smarter than them.

Therefore, it is self-deception to presume that the relations between the worker and the employer will become cordial by enforcing and enacting laws. The only way to get the result is to develop a realization of accountability in the hereafter. Indeed, Islam has laid great emphasis on it.

Today's mind is lost in worldly life and its ability to look beyond materialism is limited. Hence it is perhaps difficult for it to understand what I say. But, it is certain that if man is destined to have peace and comfort, then, in spite of the myriad stumbling blocks, he will finally make it to the reality to which the Qur'an calls attention repeatedly. The era when Islam had spread in the world in a practical shape and was dominantly practiced, the world observed very clearly that the Qur'anic ideology was very correct. We cannot find the employees and employers of that age at loggerheads with one another. There were no strikes and lockouts. But, since some years, these things have taken the entire world in their stride.

This was the moral guidance of the Qur'an and *sunnah* that presented a satisfactory solution to this problem. This is why the history of the first generation of Islam was almost without any dispute between the employer and the employee."

## (7) LEGAL EQUALITY & JUSTICE AT LITTLE COST & LITTLE DIFFICULTY

Let no one imagine by reading the foregoing quotation that Islam leaves the judgement of disputes between employer and employee to the hereafter only where may the wronged-one get redress, and offers only guidance in this world. Rather, Islam gives fundamental importance to thought of the hereafter and fear of Allah while resorting to legal avenues in this world so that violation of law and oppression of the weak may be a rare case. There may be few, scattered disputes. Everyone must regard it as his religious obligation to obey the law in the same spirit as he binds himself to offer salah and observe fasting: He must fear Allah's displeasure and punishment in the hereafter more than worldly punishment. The result will be that he will not perpetrate wrong and excess against anyone even where the worldly law cannot catch him, because it is his conviction that Allah is everywhere and sees everything. He is aware of tiny particles too all the time. Apart from that, Islam presents a very convenient and low cost recourse to courts and law with natural and effective and rapid working. We may say without exaggeration that nowhere in the world is such a method and system of justice available.

You may have observed that Islam has provided many far-reaching avenues to patch up disputes and remove oppression and wrong-doing.

1. Industry, trade, service and labour are made part of religion as distinct from merely individual or purely worldly undertakings. They are subservient to good intention and bound to respect the lawful and avoid the unlawful and are made a great form of worship.
2. A watching eye is placed on everyone's conscience and on business undertakings in the shape of fear of Allah and thought of the hereafter. Thus even the strongest and most powerful will not find it easy to usurp the rights of the weakest of men. The fear of punishment in the hereafter will compel him to give the rights of the others.
3. It declares as unlawful and invalid all such agreements transactions for employment, labour as leave an uncertainty and are ambiguous and might cause the parties to disagree. It is one of the duties of the Islamic government to declare such transactions and agreements as unlawful. It must proscribe them.
4. Interest, gambling, speculation and such things are crimes in law. They create bad blood and generally deprive people of their rights.

If these steps are taken then in an Islamic society there will not be a heavy rush of cases in courts of law as we see today. There will be very few disputes but if there are any occasional cases, the courts and rulers are advised by the Qur'an and the *sunnah* to first try to reconcile the plaintiff and defendant, If that does not work then they should pass judgement according to the Divine law whose principles are outlined in the Qur'an and *sunnah*. These principles are not man-made that there may be partiality or any kind of shortcoming. Rather, they are revealed by the Lord, Who is Independent, Wise, Dominant, Almighty, the Master of the Universe, Who has no partner. He is the only One to rule and judge. His judgement is just.

### CONVENIENT PROCEDURE OF JUDGEMENT

Islam has provided a very easy and convenient procedure of getting judgment through the courts of law. It is also not very costly. A weak or a poor person of any religion can obtain judgment in the shortest possible time. No fees have to be paid to obtain judgment. There is no need to hire a lawyer. The petitioner and defendant may plead their own cases. It is very unlike what we go through. Lawyers have to be paid heavily and other expenses are incurred. In fact, there are recurring expenses because hearings are often put off at the request of one party or other. It is not possible for a poor man to withstand the cumbersome procedure. It is as though a petitioner would need the riches of Korah and life of (Prophet) Nuh (*'alayhi as-salām*) and even that might not be enough. Often a case tarries for twenty to thirty years and sometimes one or both parties die before judgment is passed. A person may spend more money on court proceedings than what he may have filed his case for. So, a poor man or even a middle class man prefers to endure oppression than seek redress from the courts.

## CONCEPT OF COURT OF LAW IN ISLAM

This is not the place to go into the question about the working of a court of law in Islam. Many voluminous books are written on the subject. It is regrettable that nowhere in the world is there an example of a court of law on Islamic pattern. The rulers of many Islamic countries do not let this system work because they themselves are not familiar with it, or they consider it against their own interests. However, wherever it is practiced to some extent, its advantages are apparent to that extent. It is practiced to some extent in Saudi Arabia, Azad Kashmir and some areas of Baluchistan in Pakistan. In these places the goodness of this system is observed to the extent it is adopted in accordance to what is mentioned in the foregoing lines.

Pakistan was carved out after giving many sacrifices so that Muslims might create an Islamic example in practice in every department of life. However, this could not happen because the people are cheated in the name of democracy. Incompetent men took over leadership of the State and they were intimidated by others and took pride in being cowed down by them. The bureaucracy of the same mind foiled the dreams of those great people who had given sacrifices for Pakistan. (To Allah we belong and to Him is over return.)

## WHY ARE TRADE UNIONS NECESSARY?

Trade unions become necessary in capitalism because in this working, all means of livelihood are in the hands of the capitalists and the bureaucrats. When a worker comes to work, he agrees to a low salary and strenuous work conditions because he has children at home who are hungry. In an interest-based economy, prices rise high but purchasing power declines and the value of currency falls. One of the reasons for this is that the richest of men also borrow from the banks (except for some whom Allah enables) to finance their industries. (But small traders do not get loans from banks). The amount paid to banks as interest is added to their costs of products. Prices rise in that proportion and the capitalists and banks make fat profits. It is the same story in rich countries too, like the U.S.A, Japan and European countries. Prices ten years ago may be compared with today's prices in these countries.

The point is that the wages at which they took up his job soon become insufficient for the subsistence of his family. Add to it, if the employer is hard-hearted and does not fear Allah, then, instead of increasing wages of the labourer, he puts him to greater difficulty and tries to cheat him on his benefits.

It is to preserve workers from such exploitation that trade unions were formed. Their aim is to get injustices removed through a stronger voice.

## WHAT MAKES TRADER'S ASSOCIATIONS NECESSARY?

The capitalists also combine into associations (and chambers) to offset the pressure of the labour unions and to raise their voice against the governments. In this way there are two opposing groups at every level and finally in the society too. The capitalists are pitted against the poor masses. Instead of Islamic fraternity and mutual trust and cooperation, they are locked in unending hatred. Each side (except for a few) puts the concept of lawful and unlawful aside and uses whatever means it can to destroy the other.

Besides, it is not that only the industrialist oppresses the labourers. If the labourers get an opportunity, they too do not lag behind unless they have fear of the hereafter. They consider it their right to cheat in working how damaging official property and misusing it.

The scene that the noble Qur'an has described is coming before our eyes:

وَكَذَلِكَ نُوَلِّي بَعْضَ الظَّالِمِينَ بَعْضًا بِمَا كَانُوا يَكْسِبُونَ

{Thus we will make some wrongdoers companions of others (in the hereafter) because of what they used to commit.} (6:129) (we shall cause some wrongdoers to suppress other wrongdoers because of what they wrongdoers because of what they commit.) [130]

## STRIKES & LOCKOUTS

In short, neither trade unions nor businessmen's associations can get cordial industrial relationships, mutual cooperation and rights of the parties involved. Rather, new problems arise and disputes multiply.

Strikes and lock outs reduce production or bring industrial output to a standstill. Economic prosperity and national progress are reversed. Society is beset with selfishness and mistrust of each other.

## RISE IN PAY IS DECEPTIVE

When inflation is at its peak and unbearable, government servants and labourers clamour for a rise in salaries and wages. Finally, their demand is met. The leaders of labour unions feel elated and the government is praised. The labourers seem satisfied. However, the result is that they continue to be deprived because the government offsets the additional payments in its budget by raising (prices and) taxes, and the industrialists raise prices to pay not only for the additional bill of higher wages, but also for the higher taxes they have to bear. In other words, the taxes are burdened on the poor and the middle class.

The innocent labourer was delighted at his pay raise of say 5%. But, he found that prices in the markets had gone up by more than that. So, he remains where he was, deprived.

Hence, the cycle repeats itself. There is a demand for rise in wages. They are raised more taxes are added and prices increase, leaving the wage-earner shouting again for redress.

In short, the vicious circle of inflation, rise in salaries, taxes, again more inflation plays with the lives of the masses. It jests with them. The shameful disparity between rich and poor widens instead of narrowing down. It has been there for generations and will continue to be there.

Twenty years hence an unskilled labourer in Pakistan earned about rupees five daily today in 1992, [\[131\]](#) he gets a minimum of rupees fifty per day. But, in spite of such a huge rise (of 1000%), is he any better? His life is as bad. His poverty is not mitigated in the least.

This should be enough for us to realize that as long as feudalism and capitalism survive, rise in salaries and wages in merely a deceptive ploy.

## TAX ON AGRICULTURAL INCOME

There is a demand now-a-days to tax agricultural income. On the face of it, the demand seems reasonable. If industrialists, traders and the salaried class are taxed, why should the feudalists be spared? But, will not the influential feudalists who are also in power in government pass it on the poor masses through unchecked rise in prices of agricultural produce? The poor will have to pay more for flour, pulse etc. as he has to pay for meat.

I presume that, in the present conditions, like other taxes, this tax too will be used by the government to pay interest on loans from the international agencies. Thereafter, the government will borrow more money from the international banks, etc. This will strengthen the economy of the capitalist countries who earn the interest, but it might snatch from the poor people even their stale bread that they get to eat.

## SUMMARY

In short, unless the present economic set-up is changed, it is like pursuing a mirage to cure the ills of this economic system. The reason is that it is based on oppression and deception, feudal cruelty and hard-heartedness and lack of fear of Allah and the Last Day. Interest, gambling and speculation are used to suck the blood of the poor.

If mankind is to be relieved of oppression, deceit and double-dealing in the field of economics and to be ushered into a peaceful, prosperous life, then it can be achieved only through belief and conviction and a realization that everyone will have to submit to reckoning before Allah, giving up of the oppression of feudalism and the Jewish cunning of capitalism, and obedience to Allah. The just and natural economic system of Islam must be introduced and the Islamic society must be established. Without that the tense and uneasy Industrial relations will not be reconciled nor will the problems of labourers and the masses be solved, and the world will not know peace and security.

Asad Multani did say well:

مردکی ہو کہ فرنگی بوسِ خام میں ہے  
امنِ عالم تو فقط دامنِ اسلام میں ہے

(Peace of the world lies only in the side of Islam).

وَأَجِرْ دَعْوَانَا إِنَّ الْخَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ وَالصَّلَاةِ  
وَالسَّلَامُ عَلَى سَيِّدِنَا خَاتَمِ النَّبِيِّينَ وَعَلَى آلِهِ وَأَصْحَابِهِ  
أَجْمَعِينَ وَمَنْ تَبِعَهُمْ بِإِحْسَانٍ إِلَى يَوْمِ الدِّينِ

(And our last call is that all praise belongs to Allah, Lord of the worlds. And blessing and peace be on our master, the seal of the Prophets and on his family and descendants and on his companions- all of them, and on those who follow them with kindness till the day of requital.)

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31. Sahih Muslim (*Imam Muslim Ibn al-Hajjaj al-Qashiri* رحمه الله ) (Dar Ahya al-Turath al Arabi, Beirut/ Qadimi Kutub Khana, Karachi)
32. Umdatul Qari (*Allamah Badruddin Ayni* رحمه الله ) (Dar Ahya at-Turath al Arabi Beirut)
33. Fath ul-Bari (*Allamah Ibn Hajar Asqalani*) (Dar ul-Ma'arifah, Beirut)
34. Fath ul-Qadir (*Allamah Kamaluddin known as Ibn Hammam* رحمه الله ) (Maktabah Rashidiyah, Quetta/ Darul Kutub al-Ilmiyah, Beirut)
35. Al-Firdaws bi Ma'thur al-Khattab (*Allamah Daylami* رحمه الله ) (Darul Kutub al-Ilmiyah, Beirut)
36. Fada'il Tijarat (*Shaykhul Hadith Mawlana Muhammad Zakariya* رحمه الله ) (Muhammad Yusuf Rangwala, Karachi/ Malik sons.)
37. Qasas ul-Qur'an (*Mawlana Hifz ur Rahman Siyuharwi* رحمه الله ) (Darul Isha'at, Karachi)
38. Al-Kaba'ir (*Allamah Muhammad ibn Usman Dhahabi* رحمه الله ) (Darun Nadwah Jadidah, Beirut)
39. Kitabat Hadith ahd Risalat wa Ahd Sahabah may (*Mawlana Mufti Muhammad Rafi Usmani* مدظلہ ) (Idaratul Ma'arif, Karachi)
40. Kitab ul-Kab (*Imam Muhammad ibn Hasan Shaybani* رحمه الله ) (Dar ul-Basho'ir, Beirut)
41. Kashful Istar (*Allamah Nuruddin Bayhaqi* رحمه الله ) (Muassat ur Risalah, Beirut)
42. Mubadi Falsafah (*Mawlana Abdul Majid Daryabadi* رحمه الله )
43. Majma az-Zawa'id (*Allamah Nuruddin Haythmi* رحمه الله ) (Darul Kutub al-Arabi, Beirut)

44. Masalah Sud (*Mawlana Mufti Muhammad Shafi رحمه الله*) (Darul Ma'arif, Karachi)
45. Al-Mustadrak lil Haakim (*Abu Abdullah Muhammad ibn Abdullah Haakim رحمه الله*) (Darul Kutub al-Ilmiyah, Beirut)
46. Musnad Ahmad (*Imam Ahmad ibn Hanbal رحمه الله*) (Mussasah Qurtubah, Beirut)
47. Musnad Abd ibn Humayd (*Imam Abu Muhammad Abd ibn Humayd رحمه الله*) (Maktabahut Sunnah, cairo)
48. Misbah uz Zujajah (*Allamah Basiri رحمه الله*) (Darul Arabiyah, Beirut)
49. Musannaf Ibn Abu Shaybah (*Imam Abu Bakr Abdullah ibn Muhammad ibn Abu Shaybah رحمه الله*) (Maktabah ar-Rush Riyad)
50. Mujam Al Awsat lit Tabarani (*Imam Abu Qasim Sulayman ibn Ahmad Tabarani رحمه الله*) (Dar Harmayn, Cairo)
51. Mu'jan al-Kabir lit Tabarani (*Imam Abu Qasim Sulayman ibn Ahmad Tabarani رحمه الله*) (Maktabahu azZahra, Mawsal)
52. Al- Munjid
53. Neel at-Awta (*Imam Muhammad ibn Ali ibn Muhammad Shawkani رحمه الله*) (Darul Haidth, cairo)

## END NOTES

[1] {And that is not at all difficult for Allah}(Qur'an,14:20) [«Return»](#)

[2] Some materialists hold that soul exists but is created from matter. [«Return»](#)

[3] Some materialists use the word “force” instead of “motion”. See Mubadi-e-Falsafah, Abdul Majid Daryabadi, Part 1 p101. [«Return»](#)

[4] Mubad-e-Falsafah part1, pp. 23to26 and 101, 102. [«Return»](#)

[5] (We know from the Qur'an and the sunnah that the jinn possess intelligence and understanding, but of a degree lesser than mankind.) [«Return»](#)

[6] (Messenger of Allah) [«Return»](#)

[7] Intermediary period between death and resurrection. Also, between paradise and hell in the hereafter. [«Return»](#)

### Chapter 01 - (2) Exemplary Moderation

[8] Pp. 11 to 15 (in Urdu) [«Return»](#)

### Chapter 01 - (3) Economic activities are also a significant part of religion

[9] Bukhari #2072,2073 [«Return»](#)

[10] Tabarani Awsat, #8610, Majma az-Zawaid v10 p291. [«Return»](#)

[11] Ibn Abu Shaybad #35473, Mustadrak Haakim #2132, Ibn Hibban #3239, Bayhaqi Shu'b ul-Eeman #1186, 10505 [«Return»](#)

[12] Tirmidhi#1209 (1213), Ibn Majah #2139, darimi #2539, daraqutni #18, Abdibn Humayd #966 [«Return»](#)

[13] Bahishti Zewar (Heavenly Ornaments) supplement (Urdu: part 5 p112) (English translation pp. 368,369 Hadith eighteen), (Darul- Isha'at, Karachi. [«Return»](#)

[14] Tirimdhi #1210,1214, Ibn Majah #2145,2146, Darimi #2451,2538, Bayhaqi kitab Buyn v5 p266, Haakim Mustadrak, Bayhaqi Shu'ab ul-Eeman #4848. [«Return»](#)

[15] Abu Dawud #1641, Ibn Majah #2216 [«Return»](#)

[16] Firdaws Daylami #8446, Umdatul-Qari v11p174, Kaba'ir of Hafiz Dhahabi v1 p118, A similar hadith of Sa'd ibn Abu Waqqas رضى الله عنه and Ibn Abbas رضى الله عنه is found in Daymi and Awsat Tabarani, but some scholars have questioned its line of transmission. [«Return»](#)

### Chapter 01 - (4) All are equally answerable to Allah

[17] In the terminology of Shariah, 'buying and selling is called بيع bai'. Employment, labour and dealings on rent are called اجاره ijarah (wage, reward, rent). [«Return»](#)

[18] Ma'arif ul-Qur'an v2 p 378 reference Mazhari. [«Return»](#)

[19] Now-a-days, the media has been disclosing the names of people who indulge in such criminal activities. But, we have never heard of anyone being nabbed or punished. Obviously, our rulers and these criminals have evolved a loophole in law so they have the law on their side. (Rafi 29 June 2009) [«Return»](#)

[20] I had written these lines many years ago unknowing that our rulers would turn our dear country Islamiyah Jamhuriyah Pakistan as bad. Rather, they have turned it worse. To Allah we belong and to Him is our return. (Rafi, Rajab 1 July 2009/1430) [«Return»](#)

[21] Most of the explanation is derived from the Ma'arif ul-Qur'an (English translation) v1 pg.666f. [«Return»](#)

[22] My respected father has collected them in his book Masalah Sood, see its pp.68-99 [«Return»](#)

[23] Muslim #3972 [«Return»](#)

[24] Bukhari #2085, Dreams of Prophets ﷺ are ture. [«Return»](#)

[25] Musnad Ahmad 5-225 Tabarani, Daraqutni [«Return»](#)

[26] Mustadrak Haakim [«Return»](#)

[27] Musnad Ahmad #3567 [«Return»](#)

[28] See Urban Resource Center's website. [«Return»](#)

[29] The Website of the Daily Jang. (http://search.jang.pk.details.asp?nid=312130 [«Return»](#)

[30] Muslim #4137 [«Return»](#)

[31] Muslim #129-1605, Abu dawud #3447, Ibn Majah #2154, Darimi #2543, Musnad Ahmad 6-410. [«Return»](#)

[32] Ibn Majah #2155, Musnad Ahmad 1-21. [«Return»](#)

[33] Sometimes when people will not suffer hardship through certain kinds of hoarding, it is permitted to hoard. See books of fiqh for that. [«Return»](#)

[34] Muslim #20-1522, Tirmidhi #1227, Abu Dawud #3442, Nasa'I #4495, Ibn Majah #2176. [«Return»](#)

[35] A hadith of Muslim (#2711) quotes Allah's Messenger ﷺ as saying: **وَأَنْ كَانَ أَخَاهُ أَوْ أَبَاهُ** (even if the city dweller is the villager's brother or father). [«Return»](#)

[36] Muslim #3698,3699,3701 [«Return»](#)

[37] Muslim #3696 [«Return»](#)

[38] Muslim #3702, see also #3698, 3704 to 3706, and 3708. [«Return»](#)

[39] Muslim #3811. [«Return»](#)

[40] Abu Dawud #3356, Ibn Hibban #4963, Mustadrak Haakim #2271, and in Fath ul-Qadeer v6 p136. [«Return»](#)

[41] Nawair sharah sahih Muslim (kitab ul Buyn, Bab Bay'al-Mubi' qabl al qabd). [«Return»](#)

[42] Tirmidhi #1317 (1318), Abu Dawud #3451, Ibn Majah #2200, Darimi #2450, Musnad Ahmad 3-156. [«Return»](#)

[43] Tirmidhi #1289, Abu Dawud #3508, Nasa'I #4497, Ibn Majah, Mustadrak Haakim #2176. [«Return»](#)

[44] Bayhaqi alkufa #11002, Mustadarak Haakim #2315 to 2321 [«Return»](#)

[45] [It is not permitted to earn profit on anything without assuming a responsibility for

loss.] The entire hadith is from Amr ibn Shu'bah from his father from his grandfather: that Allah's Messenger ﷺ

لَا يَحِلُّ سَلْفٌ وَ بَيْعٌ وَلَا شَرْطَانِ فِي بَيْعٍ، وَلَا رِبْحٌ مَالٌ يَضْمَنُ،  
وَلَا بَيْعٌ مَا لَيْسَ عِنْدَكَ.

said:

Mustadrak Haakim #2185, Tirmidhi #1234, Ibn Majah #2188, Nasa'i v7 p295, Darimi #2560, Also narrated by Ibn Abbas (*Radhiallahu 'anhu*) Ya'la ibn Umayyah, Attab ibn Asid and Haakim ibn Hizam (*Radhiallahu 'anhu*).

[«Return»](#)

"

[46] Mudarabah applies to the arrangement whereby stock (property) belongs to rabbulmaal (proprietor of the stock) while labour or work is the other person's lookout who is called the mudarab. Both of them are partners in profit.

[«Return»](#)

[47] Surah al-Ma'idah verses 90-91 [«Return»](#)

[48] Bai' hasah will be explained in next lines. [«Return»](#)

[49] Muslim #4-1513 [«Return»](#)

[50] Tirmidhi #1232 (1236), Abu Dawud #3503, Nasa'i #4624, Ibn Majah #2187, Musnad Ahmad #15311 and Tirmidhi #1233 (1239) from Abdullah ibn Amr ibn Aas (*Radhiallahu 'anhu*) the former is from Haakim ibn Hizam (*Radhiallahu 'anhu*). [«Return»](#)

[51] This piece of writing was penned down many years ago. The crisis had not originated then. While this is being published now, the world is in the grip of the crisis. So, I think it reasonable to say something about it. (Rafi, March 2010) [«Return»](#)

[52] Here and elsewhere these and similar English equivalents are adopted as given in the Urdu text. [«Return»](#)

[53] Ma'arif ul Qur'an under surah Saba (v7 p262) (Eng Translation v2 p266) [«Return»](#)

[54] Ma'arif ul Qur'an v7 p26 (English Translation) [«Return»](#)

[55] Ma'arif ul Qur'an surah Hud (v4 p630- English translation) [«Return»](#)

[56] Ma'arif ul Qur'an v6 under surah al-Anbiya (English translation) [«Return»](#)

[57] Ma'arif ul Qur'an v7 p266 (English Translation) [«Return»](#)

[58] Prophet Dawud's (*'alayhi as-salām*) account and the ruling are adapted from the Ma'arif ul Qur'an v7 p266-269 [«Return»](#)

[59] Kitabat hadith ahd risalat wa adh sahabah may, p40, refce al-aqd ul-farid by Ibn Abd Rabbihi and Kitabat taqi'at v3 p3. [«Return»](#)

[60] Tafsir Baghawi against the verse (19:56) v5 p237. Stories of the Prophets, Ibn Kathir (English translation, p47, Darul isha'at, Karachi). [«Return»](#)

[61] Qasas ul Qur'an v1 p96 (Urdu) Stories of the Qur'an, Darul isha'at, Karachi (v1 p 83, English trans) [«Return»](#)

[62] Ibid v1 p 100 (v1, p83, English trans.) [«Return»](#)

[63] Ibid v1 p89 (v1 p79, English trans.) [«Return»](#)

[64] Tarikh al-Unem wa al mulook, Tabari v2, p353, Al-Bidayah wa an Nihayah v3 p553 (Battle Ta'if) [«Return»](#)

[65] Al-Munjid [«Return»](#)

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- [66] Muslim #7-1552, 8-1552 [«Return»](#)
- [67] Muslim #9-1552, 10-1552, 11-1552 [«Return»](#)
- [68] Ahadith Mukhtarah, Diya uddin Maqdasi #2711 to 2715, Musnad Ahmad #12902, 1298), Musnad Abu ibn Humayd #1216, Kashf ul-Istar, Haythmi #1251 (Zayawa'id al-Bazzar) [«Return»](#)
- [69] Ad-Durr-Al-Manthur v1, p88: Allamah Suyuti [«Return»](#)
- [70] Sirat ul-Mustafa v1 p424 [«Return»](#)
- [71] Tirmidhi #1209 (1213), ibn Majah #2139, Darimi #2539, Daraqutni #18, Abd ibn Humayd #966. [«Return»](#)
- [72] Tirmidhi #1210 (1214) Majah #2145, Darimi #2451, Bayhaqi Shuabul-Eeman #4848. [«Return»](#)
- [73] See Rasul Akram ﷺ ki siyasi zindagi, Dr Hamidullah pp.31,32 (Published by Darul-Isha'at, Karachi.) [«Return»](#)
- [74] Sirat ul-Mustafa v1 pg.51. [«Return»](#)
- [75] Fada'il Tijarah p65 reference At-Taalib al-Idariyah v2 p20 from Daylami. [«Return»](#)
- [76] Sirat ul-Mustafa v1 p96, refce al-Asabah. [«Return»](#)
- [77] Sirat ul-Mustafa v1 p96 refce al-Asabah. [«Return»](#)
- [78] Sirat ul-Mustafa v1 pp99-101. [«Return»](#)
- [79] Rasul Allah ki siyasi zindagi, p49, Dr Hamidullah (Darul-Isha'at, Karachi). [«Return»](#)
- [80] Sirat ul Mustafa v1 pp111-112. [«Return»](#)
- [81] Tafsir ad-Dur al-Manthur, Suyuti. (v1 p88) [«Return»](#)
- [82] Fadail ut Tijarat p 67-71 in refce At Taratib al-Idariyah v2 pp10-32 [«Return»](#)
- [83] Fath ul-Bari v4 p305 [«Return»](#)
- [84] Fada'il Tijarat p67, this humble Rafi Usmani submits that the same command governs government servants and rulers. This case is argument for it. [«Return»](#)
- [85] Bukhari #2042,7353, Muslim #36-2153, Tirmidhi #2699. [«Return»](#)
- [86] Fada'il Tijarat p66, refce: At Taratib al-Idariyah v2 p21. [«Return»](#)
- [87] Fada'il Tijarat p68 refce Mishkat #6072, 6073 (Tirmidhi #3700,3701) [«Return»](#)
- [88] Fada'il Tijarat p68 [«Return»](#)
- [89] Muslim #2380 as narrated by Abu Hurayrah (Radhiallahu 'anhu), Ibn Majah in chapters of Tijarah, Musnad Ahmad v1 p113. [«Return»](#)
- [90] Nawani Sharh Muslim, This hadith is marfu. [«Return»](#)
- [91] Tafsir Ibn Kathir against verse 56 surah Maryam, Tafsir ad-Dur al-Manthur, Suyuti. [«Return»](#)
- [92] Muhaddarat al-Adba v1 p210, Rabi al Abrar v1 p227. [«Return»](#)
- [93] Bukhari #2262. [«Return»](#)

[94] The plural form is qararit Fath al-Bari v4 p441 (carat, four grams, twenty fourth part of dinar- salmone's advanced learner's dictionary (Arabic English) [«Return»](#)

[95] Bukhari #3932 [«Return»](#)

[96] Bukhari #2837, 4101, 4104, 4105. [«Return»](#)

[97] Musnad Ahmad 10127, Sharh al Ahya 7-98. [«Return»](#)

[98] Shama'il Tirmidhi #325, Musnad Ahmad 6-121 [«Return»](#)

[99] Bukhari #2072 [«Return»](#)

[100] Fath al-Bari v4 p306 [«Return»](#)

[101] Respectively: companions of the Prophet ﷺ, epigones or their successors, scholars of hadith, scholars, righteous men of Allah. [«Return»](#)

[102] Who was this father? The exegetes differ on his identity but the Qur'anic verses suggest that he was Shu'ayb ('alayhi as-salām) because the Qur'an says that he was sent to Madyan as a Messenger: (7:85)

{وَالْيَٰ مَدْيَنَ أَخَاهُمْ شُعَيْبًا} . Please have recourse to surah al-Qasas (28th of the Qur'an) and study its exegesis, like from the Ma'arif ul Qur'an v6, in reference to Tafsir Qurtabi. [«Return»](#)

[103] Physical prowess could be confirmed by his removing the heavy stone from the mouth of the well all alone. He was trustworthy because he asked the girl to walk behind him (So that he might not see a stranger woman). Ma'arif ul Qur'an v6 p118 (urdu translation) [«Return»](#)

[104] Sharh as-Sunnah #38, Musnad Ahmad 3-135,154, Bayhaqi in sunan Kubra. [«Return»](#)

[105] Muslim #8. [«Return»](#)

[106] This is adapted from the Ma'arif ul-Qur'an (urdu commentary v2 pp.444-447) [«Return»](#)

[107] Muslim #16,1825. [«Return»](#)

[108] Awareness & Apprehension (English Translation) Darul-Isha'at, Karachi. [«Return»](#)

[109] Bukhari #59, Muslim # [«Return»](#)

[110] Musnad Ahmad 5-198, (similar in words: Bukhari #2896) [«Return»](#)

[111] Ma'arif ul Qur'an against verse 58 of surah an-Nisa. [«Return»](#)

[112] The noble Qur'an has not named the aajir, but most exegetes and scholars of hadith go by some evidence and tend to conclude that he was Sayyiduna Shu'ayb ('alayhi as-salām). [«Return»](#)

[113] Ibn Majah (#2444) chapter Ijaratul ajir ala tnam batnihi p178. But this hadith has a weak sanad. See Fath ul-Bari v4 p445. Ibn Kathir (Tafseer) v3 p385. [«Return»](#)

[114] Muslim #2825 [«Return»](#)

[115] Muslim (Kitab ul-Eeman, Baab Raf ul-Amanas), hadith #230,143. Bukhari #6497 [«Return»](#)

[116] Details will follow under the sixth principle in the caption about clarification of a doubt, insha Allah. [«Return»](#)

[117] And made available, in this world an easy access to law courts. We will speak of it under the 7th principle, insha Allah. [«Return»](#)



[118] Tafseer Ruh ul-Ma'ni has (in steel oth woe to) is 'A painful punishment awaits' (v30 p68) Published by Maktabah Rashidiyah, (urdu translation) [«Return»](#)

[119] Ibn Majah #4018, Mustadarak Haakim, Bazzaz. [«Return»](#)

[120] Ma'ariful Qur'an v8 pp193-194 (urdu translation) [«Return»](#)

[121] Bukhari #2227, 2270. Ibn Majah #2442 [«Return»](#)

[122] Ibn Majah #2443. [«Return»](#)

[123] Muslim #2581 [«Return»](#)

[124] Bukhari #2545, Muslim #38-1661, Tirmidhi #1945 (1950), Abu Dawud #5158, Musnad Ahmad 5-161. [«Return»](#)

[125] Musnad Ahmad 5-198 [«Return»](#)

[126] Ibn Majah #1614. Musnad Ahmad has this hadith from Sayyidah Umm Salamah (Radhiallahu 'anhu)l and Sayyiduna Anas (Radhiallahu 'anhu), saying, "Allah's Messenger ﷺ gave these instructions continuously till they reverberated in his heart but his tongue was unable to utter them." (Musnad Ahmad 6-290,6-311,6-321,3-317) [«Return»](#)

[127] Bukhari #2546 [«Return»](#)

[128] Bukhari #13. [«Return»](#)

[129] Muslim #55-95, Tirmidhi #1926 (1932), Nasa'I #4199, Darimi #2754, Musnad Ahmad 4-102. [«Return»](#)

[130] Ma'ariful Qur'an v3 p453 (urdu) [«Return»](#)

[131] This piece was written in 1992. Now, in October 2009 when this treatise is under print, an unskilled labourer is paid between two hundred and three hundred rupees. (Rafi) [«Return»](#)

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